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SECOND REPRINT

A.B. 65

ASSEMBLY BILL NO. 65—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-275)

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

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

AN ACT relating to education; restricting the time of day during which the board of trustees of a school district may take action or corrective action at a regular or special meeting; revising provisions relating to reports regarding and investigations into incidents of discrimination based on race, bullying and cyber-bullying; revising provisions governing the approval of work-based learning programs; revising the requirement for children of a certain age to attend a public school; revising provisions governing the placement of children in certain early grades; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Open Meeting Law requires that a public body such as the board of
2 trustees of a school district give notice of its meetings by: (1) posting an agenda
3 consisting of a list describing the items on which action may be taken by the public
4 body; and (2) clearly denoting that action may be taken on those items by placing
5 the term “for possible action” next to the appropriate item or, under certain
6 circumstances, by placing the term “for possible corrective action” next to the
7 appropriate item. (NRS 241.015, 241.020) Existing law sets forth certain
8 requirements and procedures for meetings of the board of trustees of a school
9 district, including, without limitation: (1) a requirement that the board of trustees
10 hold a regular meeting at least once each month; and (2) the authority for the
11 president of the board of trustees to call special meetings under certain
12 circumstances. (NRS 386.330) **Section 1.5** of this bill prohibits, except in an
13 emergency that impacts the school district, the board of trustees of a school district
14 from taking any action or corrective action at a regular meeting or special meeting



15 on an item that has been posted on its agenda pursuant to the Open Meeting Law
16 after 11:59 p.m. on the day of the meeting. **Section 1.5** further provides that if the
17 board of trustees has not taken action or corrective action, as applicable, on any
18 item that is on its agenda before 11:59 p.m. on the day of the meeting, the board of
19 trustees must not take any further action or corrective action on any item that is on
20 the meeting agenda unless the board of trustees: (1) schedules the delayed agenda
21 item at a future meeting; or (2) waits at least 24 hours after the originally scheduled
22 time of the meeting but not later than 3 business days after the originally scheduled
23 date of the meeting to take action or corrective action.

24 Existing law establishes the Office for a Safe and Respectful Learning
25 Environment in the Department of Education and requires the Director of the
26 Office to investigate any complaint that a teacher, administrator, coach or other
27 staff member or member of a governing body has violated applicable provisions of
28 law regarding discrimination based on race, bullying or cyber-bullying. (NRS
29 388.1323) Existing law also requires the Director to establish the SafeVoice
30 Program within the Office, which allows a person to make an anonymous report to
31 a support center regarding dangerous, violent or unlawful activity that is conducted,
32 or is threatened to be conducted, on the property of a public school or in certain
33 other circumstances related to public schools. (NRS 388.1455) Any anonymous tip
34 made through the SafeVoice Program is then forwarded to the appropriate public
35 safety agencies and certain trained personnel at the public school for appropriate
36 action to be taken. (NRS 388.14553) **Section 3** of this bill provides that the
37 Director is not required to investigate a complaint that a teacher, administrator,
38 coach or other staff member or member of a governing body has violated applicable
39 provisions of law regarding discrimination based on race, bullying or cyber-
40 bullying if the complaint is made through the SafeVoice Program and investigated
41 by certain trained personnel at the public school, unless the complaint alleges that a
42 previous investigation of the same matter by the personnel at the public school
43 failed to resolve the issue or was otherwise deficient.

44 **Section 2** of this bill revises the definition of "bullying" to exclude acts,
45 gestures and expressions which are engaged in as part of a mutual disagreement or
46 conflict.

47 Upon receiving a report of discrimination based on race, bullying or cyber-
48 bullying, existing law requires the administrator of a school or his or her designee
49 to immediately begin an investigation into the report. With certain exceptions,
50 existing law requires the investigation to be completed not later than 2 school days
51 after receipt of the report. (NRS 388.1351) **Section 6** of this bill requires the
52 investigation to be completed, to the greatest extent practicable, within 5 school
53 days after the administrator or designee receives the report, or within 7 school days
54 if extenuating circumstances prevent the investigation from being completed within
55 5 school days. **Section 6** also removes the requirement for a direct supervisor of a
56 principal to submit to the Office a quarterly report regarding incidents of
57 discrimination based on race, bullying or cyber-bullying.

58 Existing law authorizes the board of trustees of a school district or the
59 governing body of a charter school to offer a work-based learning program upon
60 the approval of the State Board of Education. (NRS 389.167) **Section 9** of this bill
61 requires a work-based learning program to be approved instead by the
62 Superintendent of Public Instruction.

63 Existing law requires a child to be a certain age on or before the first day of the
64 school year to be admitted to certain early grades of school. (NRS 392.040) **Section**
65 **12** of this bill changes the date by which a child must attain a certain age to start
66 certain early grades from the first day of the school year to August 1 of the school
67 year, or if August 1 does not occur during a school year, on or before August 1
68 preceding a school year.



69 Existing law, in general, requires a child between 7 and 18 years of age to
70 attend public school. (NRS 392.040) **Section 12.5** of this bill revises this provision
71 to require each child to begin attending public school once the child is 6 years of
72 age, rather than 7 years of age. **Section 15.5** of this bill requires a child who is 6
73 years of age or older on or before August 1, 2024, and enrolls in public school for
74 the first time to be admitted to kindergarten or first grade.
75 **Section 15.7** of this bill authorizes a public school to: (1) admit a child who
76 was enrolled in a prekindergarten program during the 2022-2023 school year in
77 kindergarten for the following school year if the child is 5 years of age on or before
78 the first day of the school year; and (2) promote a pupil who is enrolled in and who
79 successfully completes kindergarten or first grade in a public school during the
80 2022-2023 or 2023-2024 school years to the next grade level for the following
81 school year, regardless of his or her age during the 2023-2024 and 2024-2025
82 school years, as applicable.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.5.** NRS 386.330 is hereby amended to read as follows:

3 386.330 1. The board of trustees shall hold a regular meeting
4 at least once each month, at such time and place as the board shall
5 determine.

6 2. Special meetings of the board of trustees shall be held at the
7 call of the president whenever there is sufficient business to come
8 before the board, or upon the written request of three members of
9 the board.

10 3. The clerk of the board of trustees shall give written notice of
11 each special meeting to each member of the board of trustees by
12 personal delivery of the notice of the special meeting to each trustee
13 at least 1 day before the meeting, or by mailing the notice to each
14 trustee's residence of record, by deposit in the United States mails,
15 postage prepaid, at least 4 days before the meeting. The notice shall
16 specify the time, place and purpose of the meeting. If all of the
17 members of the board of trustees are present at a special meeting,
18 the lack of notice shall not invalidate the proceedings of the board of
19 trustees.

20 4. A majority of the members of the board of trustees shall
21 constitute a quorum for the transaction of business, and no action of
22 the board of trustees shall be valid unless such action shall receive,
23 at a regularly called meeting, the approval of a majority of all the
24 members of the board of trustees.

25 5. In any county whose population is 55,000 or more, the board
26 of trustees may cause each meeting of the board to be broadcast on a
27 television station created to provide community access to cable
28 television by using the facilities of the school district, county or any



1 city located in the county. The board of trustees and the county or
2 city shall cooperate fully with each other to determine:

3 (a) The feasibility of televising the meetings of the board of
4 trustees;

5 (b) The costs to televise the meetings of the board of trustees for
6 each proposed method of televising; and

7 (c) The number of potential viewers of the meetings of the board
8 of trustees for each proposed method of televising.

9 **6. Except in an emergency that impacts the school district,**
10 **the board of trustees shall not take any action or corrective action**
11 **at a regular meeting or special meeting on an item that has been**
12 **posted on its agenda pursuant to chapter 241 of NRS after 11:59**
13 **p.m. on the day of the meeting. If the board of trustees has not**
14 **taken action or corrective action, as applicable, on any item that is**
15 **on its agenda before 11:59 p.m. on the day of the meeting, the**
16 **board of trustees must not take any further action or corrective**
17 **action on any item that is on the meeting agenda unless the board**
18 **of trustees:**

19 (a) Schedules the delayed agenda item at a future meeting by
20 placing the item on its agenda for the future meeting pursuant to
21 chapter 241 of NRS; or

22 (b) Waits until at least 24 hours after the originally scheduled
23 time of the meeting but not later than 3 business days after the
24 originally scheduled date of the meeting to take action or
25 corrective action.

26 **7. As used in this section, “emergency” has the meaning**
27 **ascribed to it in NRS 241.020.**

28 **Sec. 2.** NRS 388.122 is hereby amended to read as follows:

29 388.122 1. “Bullying” means written, verbal or electronic
30 expressions or physical acts or gestures, or any combination thereof,
31 that are directed at a person or group of persons, or a single severe
32 and willful act or expression that is directed at a person or group of
33 persons, and:

34 (a) Have the effect of:

35 (1) Physically harming a person or damaging the property of
36 a person; or

37 (2) Placing a person in reasonable fear of physical harm to
38 the person or damage to the property of the person;

39 (b) Interfere with the rights of a person by:

40 (1) Creating an intimidating or hostile educational
41 environment for the person; or

42 (2) Substantially interfering with the academic performance
43 of a pupil or the ability of the person to participate in or benefit from
44 services, activities or privileges provided by a school; or



1 (c) Are acts or conduct described in paragraph (a) or (b) and are
2 based upon the:

3 (1) Actual or perceived race, color, national origin, ancestry,
4 religion, gender identity or expression, sexual orientation, physical
5 or mental disability of a person, sex or any other distinguishing
6 characteristic or background of a person; or

7 (2) Association of a person with another person having one
8 or more of those actual or perceived characteristics.

9 2. The term includes, without limitation:

10 (a) Repeated or pervasive taunting, name-calling, belittling,
11 mocking or use of put-downs or demeaning humor regarding the
12 actual or perceived race, color, national origin, ancestry, religion,
13 gender identity or expression, sexual orientation, physical or mental
14 disability of a person, sex or any other distinguishing characteristic
15 or background of a person;

16 (b) Behavior that is intended to harm another person by
17 damaging or manipulating his or her relationships with others by
18 conduct that includes, without limitation, spreading false rumors;

19 (c) Repeated or pervasive nonverbal threats or intimidation such
20 as the use of aggressive, menacing or disrespectful gestures;

21 (d) Threats of harm to a person, to his or her possessions or to
22 other persons, whether such threats are transmitted verbally,
23 electronically or in writing;

24 (e) Blackmail, extortion or demands for protection money or
25 involuntary loans or donations;

26 (f) Blocking access to any property or facility of a school;

27 (g) Stalking; and

28 (h) Physically harmful contact with or injury to another person
29 or his or her property.

30 ***3. The term does not include expressions, acts or gestures***
31 ***which are engaged in as part of a mutual disagreement or conflict.***

32 **Sec. 3.** NRS 388.1323 is hereby amended to read as follows:

33 388.1323 1. The Office for a Safe and Respectful Learning
34 Environment is hereby created within the Department.

35 2. The Superintendent of Public Instruction shall appoint a
36 Director of the Office, who shall serve at the pleasure of the
37 Superintendent.

38 3. The Director of the Office shall ensure that the Office:

39 (a) Maintains a 24-hour, toll-free statewide hotline and Internet
40 website by which any person can report a violation of the provisions
41 of NRS 388.121 to 388.1395, inclusive, and obtain information
42 about antidiscrimination and anti-bullying efforts and organizations;
43 and

44 (b) Provides outreach and antidiscrimination and anti-bullying
45 education and training for pupils, parents and guardians, teachers,



1 administrators, coaches and other staff members and the members of
2 a governing body. The outreach and training must include, without
3 limitation:

4 (1) Training regarding methods, procedures and practice for
5 recognizing discrimination based on race, bullying and cyber-
6 bullying behaviors;

7 (2) Training regarding effective intervention and remediation
8 strategies regarding discrimination based on race, bullying and
9 cyber-bullying;

10 (3) Training regarding methods for reporting violations of
11 NRS 388.135; and

12 (4) Information on and referral to available resources
13 regarding suicide prevention and the relationship between
14 discrimination based on race, bullying or cyber-bullying and
15 suicide, including, without limitation, resources for pupils who are
16 members of groups at a high risk of suicide. Such groups include,
17 without limitation, the groups described in subsection 3 of
18 NRS 388.256.

19 4. The Director of the Office shall establish procedures by
20 which the Office may receive reports of discrimination based on
21 race, bullying and cyber-bullying and complaints regarding
22 violations of the provisions of NRS 388.121 to 388.1395, inclusive.

23 5. ~~The~~ *Except as otherwise provided in this subsection, the*
24 *Director of the Office or his or her designee shall investigate any*
25 *complaint that a teacher, administrator, coach or other staff member*
26 *or member of a governing body has violated a provision of NRS*
27 *388.121 to 388.1395, inclusive. If a complaint alleges criminal*
28 *conduct or an investigation leads the Director of the Office or his or*
29 *her designee to suspect criminal conduct, the Director of the Office*
30 *may request assistance from the Investigation Division of the*
31 *Department of Public Safety. The Director of the Office or his or*
32 *her designee is not required to investigate a complaint pursuant to*
33 *this subsection if the complaint is made through the SafeVoice*
34 *Program established pursuant to NRS 388.1455 and investigated*
35 *by the team appointed pursuant to paragraph (a) of subsection 1*
36 *of NRS 388.14553, unless the complaint alleges that a previous*
37 *investigation conducted by the team appointed pursuant to*
38 *paragraph (a) of subsection 1 of NRS 388.14553 regarding the*
39 *same matter failed to resolve the issue or was otherwise deficient.*

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

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

42 **Sec. 6.** NRS 388.1351 is hereby amended to read as follows:

43 388.1351 1. Except as otherwise provided in NRS
44 388.13535, a teacher, administrator, coach or other staff member
45 who witnesses a violation of NRS 388.135 or receives information



1 that a violation of NRS 388.135 has occurred shall report the
2 violation to the administrator or his or her designee as soon as
3 practicable, but not later than a time during the same day on which
4 the teacher, administrator, coach or other staff member witnessed
5 the violation or received information regarding the occurrence of a
6 violation.

7 2. Except as otherwise provided in this subsection, upon
8 receiving a report required by subsection 1, the administrator or
9 designee shall immediately take any necessary action to stop the
10 discrimination based on race, bullying or cyber-bullying and ensure
11 the safety and well-being of the reported victim or victims of the
12 discrimination based on race, bullying or cyber-bullying and shall
13 begin an investigation into the report. If the administrator or
14 designee does not have access to the reported victim of the alleged
15 violation of NRS 388.135, the administrator or designee may wait
16 until the next school day when he or she has such access to take the
17 action required by this subsection.

18 3. The investigation conducted pursuant to subsection 2 must
19 include, without limitation:

20 (a) Except as otherwise provided in subsection 4, notification
21 provided by telephone, electronic mail or other electronic means or
22 provided in person, of the parents or guardians of all pupils directly
23 involved in the reported discrimination based on race, bullying or
24 cyber-bullying, as applicable, either as a reported aggressor or a
25 reported victim of the discrimination based on race, bullying or
26 cyber-bullying. The notification must be provided:

27 (1) If the discrimination based on race, bullying or cyber-
28 bullying is reported before the end of school hours on a school day,
29 before the school's administrative office closes on the day on which
30 the discrimination based on race, bullying or cyber-bullying is
31 reported; or

32 (2) If the discrimination based on race, bullying or cyber-
33 bullying was reported on a day that is not a school day, or after
34 school hours on a school day, before the school's administrative
35 office closes on the school day following the day on which the
36 discrimination based on race, bullying or cyber-bullying is reported.

37 (b) Interviews with all pupils whose parents or guardians must
38 be notified pursuant to paragraph (a) and with all such parents and
39 guardians.

40 4. If the contact information for the parent or guardian of a
41 pupil in the records of the school is not correct, a good faith effort to
42 notify the parent or guardian shall be deemed sufficient to meet the
43 requirement for notification pursuant to paragraph (a) of
44 subsection 3.



1 5. Except as otherwise provided in this subsection, an
2 investigation required by this section must be completed ~~[not later~~
3 ~~than 2]~~, *to the greatest extent practicable, within 5* school days
4 after the administrator or designee receives a report required by
5 subsection 1. If extenuating circumstances prevent the administrator
6 or designee from completing the investigation required by this
7 section within ~~[2] 5~~ school days after making a good faith effort, ~~[1]~~
8 *2* additional school ~~[day]~~ *days* may be used to complete the
9 investigation. ~~[The time for completing an investigation into a report~~
10 ~~of cyber bullying may also be extended to not more than 5 school~~
11 ~~days after the report is received with the consent of each reported~~
12 ~~victim of the cyber bullying or, if a reported victim is under 18~~
13 ~~years of age and is not emancipated, the parent or guardian of the~~
14 ~~reported victim.]~~

15 6. An administrator or designee who conducts an investigation
16 required by this section shall complete a written report of the
17 findings and conclusions of the investigation. If a violation is found
18 to have occurred:

19 (a) The report must include recommendations concerning the
20 imposition of disciplinary action or other measures to be imposed as
21 a result of the violation, in accordance with the policy governing
22 disciplinary action adopted by the governing body. Subject to the
23 provisions of the Family Educational Rights and Privacy Act of
24 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant
25 thereto, the report must be made available, not later than 24 hours
26 after the completion of the written report, to all parents or guardians
27 who must be notified pursuant to paragraph (a) of subsection 3 as
28 part of the investigation; and

29 (b) Any action taken after the completion of the investigation to
30 address the discrimination based on race, bullying or cyber-bullying
31 must be based on restorative disciplinary practices and carried out in
32 a manner that causes the least possible disruption for the victim or
33 victims. When necessary, the administrator or ~~[his or her]~~ designee
34 shall give priority to ensuring the safety and well-being of the victim
35 or victims over any interest of the perpetrator or perpetrators when
36 determining the actions to take.

37 7. If a violation is found not to have occurred, information
38 concerning the incident must not be included in the record of the
39 reported aggressor.

40 8. Not later than 10 school days after receiving a report
41 required by subsection 1, the administrator or designee shall meet
42 with each reported victim of the discrimination based on race,
43 bullying or cyber-bullying to inquire about the well-being of the
44 reported victim and to ensure that the reported discrimination based
45 on race, bullying or cyber-bullying, as applicable, is not continuing.



1 9. To the extent that information is available, the administrator
2 or ~~his or her~~ designee shall provide a list of any resources that may
3 be available in the community to assist a pupil to each parent or
4 guardian of a pupil to whom notice was provided pursuant to this
5 section as soon as practicable. Such a list may include, without
6 limitation, resources available at no charge or at a reduced cost and
7 may be provided in person or by electronic or regular mail. If such a
8 list is provided, the administrator ~~[-his]~~ or ~~her~~ designee, or any
9 employee of the school or the school district is not responsible for
10 providing such resources to the pupil or ensuring the pupil receives
11 such resources.

12 10. The parent or guardian of a pupil involved in the reported
13 violation of NRS 388.135 may appeal a disciplinary decision of the
14 administrator or ~~his or her~~ designee, made against the pupil as a
15 result of the violation, in accordance with the policy governing
16 disciplinary action adopted by the governing body. Not later than 30
17 days after receiving a response provided in accordance with such a
18 policy, the parent or guardian may submit a complaint to the
19 Department. The Department shall consider and respond to the
20 complaint pursuant to procedures and standards prescribed in
21 regulations adopted by the Department.

22 11. If a violation of NRS 388.135 is found to have occurred,
23 the parent or guardian of a pupil who is a victim of discrimination
24 based on race, bullying or cyber-bullying may request that the board
25 of trustees of the school district in which the pupil is enrolled to
26 assign the pupil to a different school in the school district. Upon
27 receiving such a request, the board of trustees shall, in consultation
28 with the parent or guardian of the pupil, assign the pupil to a
29 different school.

30 12. A principal or his or her designee shall submit a monthly
31 report to the direct supervisor of the principal that includes for the
32 school the number of:

33 (a) Reports received pursuant to subsection 1 concerning
34 incidents of bullying or cyber-bullying;

35 (b) Reports received pursuant to subsection 1 concerning
36 incidents of discrimination based on race;

37 (c) Times in which a violation of NRS 388.135 is found to have
38 occurred; and

39 (d) Times in which no violation of NRS 388.135 is found to
40 have occurred.

41 13. ~~[A direct supervisor who receives a monthly report~~
42 ~~pursuant to subsection 12 shall, each calendar quarter, submit a~~
43 ~~report to the Office for a Safe and Respectful Learning Environment~~
44 ~~that includes, for the schools for which the direct supervisor has~~
45 ~~received a monthly report in the calendar quarter and categorized by~~



1 ~~types of incidents and the demographics identified in subsection 1 of~~
2 ~~NRS 388.1235, the:~~

3 ~~—(a) Total number of reports received pursuant to subsection 1~~
4 ~~concerning bullying or cyber bullying;~~

5 ~~—(b) Total number of reports received pursuant to subsection 1~~
6 ~~concerning incidents of discrimination based on race;~~

7 ~~—(c) Number of times in which a violation of NRS 388.135 is~~
8 ~~found to have occurred; and~~

9 ~~—(d) Number of times in which no violation of NRS 388.135 is~~
10 ~~found to have occurred.~~

11 ~~—14. The Office for a Safe and Respectful Learning~~
12 ~~Environment, in consultation with the direct supervisor of a~~
13 ~~principal, shall, after reviewing a report submitted pursuant to~~
14 ~~subsection 12 or 13, as applicable, make any recommendations~~
15 ~~based on identified trends and patterns the Office determines to be~~
16 ~~appropriate regarding interventions or training to address~~
17 ~~discrimination based on race, bullying and cyber bullying at the~~
18 ~~school.~~

19 ~~—15.]~~ School hours and school days are determined for the
20 purposes of this section by the schedule established by the
21 governing body for the school.

22 ~~[16.]~~ 14. The provisions of this section must not be construed
23 to place any limit on the time within which an investigation
24 concerning any alleged act that constitutes sexual assault must be
25 completed.

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

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

28 **Sec. 9.** NRS 389.167 is hereby amended to read as follows:

29 389.167 1. A pupil enrolled at a public school must be
30 allowed to apply one or more credits toward the total number of
31 credits required for graduation from high school if the pupil
32 successfully completes the number of hours in a work-based
33 learning program required by regulation of the State Board to earn
34 such credits. Any credits earned for successful completion of a
35 work-based learning program must be applied toward the pupil's
36 elective course credits and not toward a course that is required for
37 graduation from high school.

38 2. The board of trustees of a school district or the governing
39 body of a charter school may offer a work-based learning program
40 upon application to and with the approval of the ~~[State Board.]~~
41 *Superintendent of Public Instruction*. An application to offer a
42 work-based learning program must include, without limitation:

43 (a) The fields, trades or occupations in which a work-based
44 learning program will be offered.



1 (b) The qualifications of a pupil to participate in the work-based
2 learning program. Such qualifications must allow a majority of
3 pupils to be eligible to participate in the work-based learning
4 program.

5 (c) A description of the process that will be used by pupils to
6 apply to participate in a work-based learning program.

7 (d) A description of the manner in which participation in a
8 work-based learning program and completion of the requirements of
9 a work-based learning program will be verified.

10 (e) A description of the manner in which the performance of a
11 pupil who participates in the work-based learning program will be
12 evaluated, which must include, without limitation, an on-site
13 evaluation of the performance of the pupil.

14 3. Upon approval by the ~~{State Board}~~ *Superintendent of*
15 *Public Instruction* of an application to offer a work-based learning
16 program submitted pursuant to subsection 2, the board of trustees or
17 the governing body shall:

18 (a) Designate an employee of the school district or charter
19 school, as applicable, to serve as a work-based learning coordinator
20 to coordinate and oversee work-based learning programs. Such an
21 employee must ensure that each business, agency or organization
22 that will offer employment and supervision of a pupil as part of the
23 work-based learning program is suitable for participation in a work-
24 based learning program.

25 (b) Establish and maintain a list of businesses, agencies and
26 organizations that have been found suitable by the work-based
27 learning coordinator pursuant to paragraph (a).

28 4. To receive approval from the ~~{State Board}~~ *Superintendent*
29 *of Public Instruction* to offer a work-based learning program, the
30 work-based learning program must include, without limitation,
31 requirements that:

32 (a) A detailed training agreement and training plan be completed
33 for each pupil participating in the work-based training program for
34 credit that identifies the specific tasks in which the pupil will
35 participate that will develop competency of the pupil in the
36 workplace;

37 (b) A pupil participating in the work-based learning program be
38 allowed to leave the public school in which he or she is enrolled
39 during the school day to participate in such a program; and

40 (c) Participation by a pupil in the work-based learning program
41 will develop a broad range of skills and will allow a pupil to focus
42 on his or her chosen career pathway.

43 5. A school district or charter school may allow a pupil who
44 successfully completes a work-based learning program to earn dual
45 credit for participation in the work-based learning program.



1 6. On or before January 15 of each odd-numbered year, the
2 board of trustees of a school district and the governing body of a
3 charter school that offers a work-based learning program shall
4 prepare a report concerning the manner in which the work-based
5 learning program has been carried out and submit the report to the
6 State Board and the Legislature. The report must include, without
7 limitation:

8 (a) The number of pupils participating in the work-based
9 learning program; and

10 (b) The types of work-based learning offered through the work-
11 based learning program.

12 7. The number of pupils participating in the work-based
13 learning program reported pursuant to paragraph (a) of subsection 6
14 must be disaggregated on the basis of the following characteristics:

15 (a) Pupils who are American Indian or Alaska Native, Asian,
16 Black or African American, Hispanic or Latino, Native Hawaiian or
17 Pacific Islander, white or two or more races;

18 (b) Gender of pupils;

19 (c) Pupils who are migrants; and

20 (d) Pupils who are members of special populations, as defined in
21 20 U.S.C. § 2302(48).

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

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

24 **Sec. 12.** NRS 392.040 is hereby amended to read as follows:

25 392.040 1. Except as otherwise provided by law, each parent,
26 custodial parent, guardian or other person in the State of Nevada
27 having control or charge of any child between the ages of 7 and 18
28 years shall send the child to a public school during all the time the
29 public school is in session in the school district in which the child
30 resides unless the child has graduated from high school.

31 2. A child who is 5 years of age on or before ~~the first day~~
32 *August 1 of the school year, or if August 1 does not occur during*
33 *the school year, on or before August 1 preceding [a] the* school
34 year, may be admitted to kindergarten at the beginning of that
35 school year, and the child's enrollment must be counted for
36 purposes of apportionment. If a child is not 5 years of age on or
37 before ~~the first day~~ *August 1 of the school year, or if August 1*
38 *does not occur during a school year, on or before August 1*
39 *preceding [a] the* school year, the child must not be admitted to
40 kindergarten.

41 3. Except as otherwise provided in subsection 4, a child who is
42 6 years of age on or before ~~the first day~~ *August 1 of the school*
43 *year, or if August 1 does not occur during a school year, on or*
44 *before August 1 preceding [a] the* school year must:



1 (a) If the child has not completed kindergarten, be admitted to
2 kindergarten at the beginning of that school year; or

3 (b) If the child has completed kindergarten, be admitted to the
4 first grade at the beginning of that school year,

5 and the child's enrollment must be counted for purposes of
6 apportionment. If a child is not 6 years of age on or before ~~the first~~
7 ~~day of~~ *August 1 of the school year, or if August 1 does not occur*
8 *during a school year, on or before August 1 preceding [a] the*
9 school year, the child must not be admitted to the first grade until
10 the beginning of the school year following the child's sixth birthday.

11 4. The parents, custodial parent, guardian or other person
12 within the State of Nevada having control or charge of a child who
13 is 6 years of age on or before ~~the first day of~~ *August 1 of the*
14 *school year, or if August 1 does not occur during a school year, on*
15 *or before August 1 preceding [a] the* school year may elect for the
16 child not to attend kindergarten or the first grade during that year.
17 The parents, custodial parent, guardian or other person who makes
18 such an election shall file with the board of trustees of the
19 appropriate school district a waiver in a form prescribed by the
20 board.

21 5. Whenever a child who is 6 years of age is enrolled in a
22 public school, each parent, custodial parent, guardian or other
23 person in the State of Nevada having control or charge of the child
24 shall send the child to the public school during all the time the
25 school is in session. If the board of trustees of a school district has
26 adopted a policy prescribing a minimum number of days of
27 attendance for pupils enrolled in kindergarten or first grade pursuant
28 to NRS 392.122, the school district shall provide to each parent and
29 legal guardian of a pupil who elects to enroll his or her child in
30 kindergarten or first grade a written document containing a copy of
31 that policy and a copy of the policy of the school district concerning
32 the withdrawal of pupils from kindergarten or first grade. Before the
33 child's first day of attendance at a school, the parent or legal
34 guardian shall sign a statement on a form provided by the school
35 district acknowledging that he or she has read and understands the
36 policy concerning attendance and the policy concerning withdrawal
37 of pupils from kindergarten or first grade. The parent or legal
38 guardian shall comply with the applicable requirements for
39 attendance. This requirement for attendance does not apply to any
40 child under the age of 7 years who has not yet been enrolled or has
41 been formally withdrawn from enrollment in public school.

42 6. A child who is 7 years of age on or before ~~the first day of~~
43 *August 1 of the school year, or if August 1 does not occur during a*
44 *school year, on or before August 1 preceding [a] the* school year
45 must:



1 (a) If the child has completed kindergarten and the first grade,
2 be admitted to the second grade.

3 (b) If the child has completed kindergarten, be admitted to the
4 first grade.

5 (c) If the parents, custodial parent, guardian or other person in
6 the State of Nevada having control or charge of the child waived the
7 child's attendance from kindergarten pursuant to subsection 4,
8 undergo an assessment by the district pursuant to subsection 7 to
9 determine whether the child is prepared developmentally to be
10 admitted to the first grade. If the district determines that the child is
11 prepared developmentally, the child must be admitted to the first
12 grade. If the district determines that the child is not so prepared, he
13 or she must be admitted to kindergarten.

14 ➤ The enrollment of any child pursuant to this subsection must be
15 counted for apportionment purposes.

16 7. Each school district shall prepare and administer before the
17 beginning of each school year a developmental screening test to a
18 child:

19 (a) Who is 7 years of age on or before ~~the first day~~ *August 1* of
20 the ~~next~~ *school year, or if August 1 does not occur during a*
21 *school year, on or before August 1 preceding the* school year; and

22 (b) Whose parents waived the child's attendance from
23 kindergarten pursuant to subsection 4,

24 ➤ to determine whether the child is prepared developmentally to be
25 admitted to the first grade. The results of the test must be made
26 available to the parents, custodial parent, guardian or other person
27 within the State of Nevada having control or charge of the child.

28 8. Except as otherwise provided in subsection 9, a child who
29 becomes a resident of this State after completing kindergarten or
30 beginning first grade in another state in accordance with the laws of
31 that state may be admitted to the grade the child was attending or
32 would be attending had he or she remained a resident of the other
33 state regardless of his or her age, unless the board of trustees of the
34 school district determines that the requirements of this section are
35 being deliberately circumvented.

36 9. Pursuant to the provisions of NRS 388F.010, a child who
37 transfers to a school in this State from a school outside this State
38 because of the military transfer of the parent or legal guardian of the
39 child must be admitted to:

40 (a) The grade, other than kindergarten, the child was attending
41 or would be attending had he or she remained a resident of the other
42 state, regardless of the child's age.

43 (b) Kindergarten, if the child was enrolled in kindergarten in
44 another state in accordance with the laws of that state, regardless of
45 the child's age.



1 10. As used in this section, "kindergarten" includes:

2 (a) A kindergarten established by the board of trustees of a
3 school district pursuant to NRS 388.060;

4 (b) A kindergarten established by the governing body of a
5 charter school; and

6 (c) An authorized program of instruction for kindergarten
7 offered in a child's home pursuant to NRS 388.060.

8 **Sec. 12.3.** NRS 392.040 is hereby amended to read as follows:

9 392.040 1. Except as otherwise provided by law, each parent,
10 custodial parent, guardian or other person in the State of Nevada
11 having control or charge of any child between the ages of ~~7~~ 6 and
12 18 years shall send the child to a public school during all the time
13 the public school is in session in the school district in which the
14 child resides unless the child has graduated from high school.

15 2. A child who is 5 years of age on or before August 1 of the
16 school year, or if August 1 does not occur during the school year, on
17 or before August 1 preceding the school year, may be admitted to
18 kindergarten at the beginning of that school year, and the child's
19 enrollment must be counted for purposes of apportionment. If a
20 child is not 5 years of age on or before August 1 of the school year,
21 or if August 1 does not occur during the school year, on or before
22 August 1 preceding the school year, the child must not be admitted
23 to kindergarten.

24 3. Except as otherwise provided in subsection 4, a child who is
25 6 years of age on or before August 1 of the school year, or if
26 August 1 does not occur during the school year, on or before
27 August 1 preceding the school year must:

28 (a) If the child has not completed kindergarten, be admitted to
29 kindergarten at the beginning of that school year; or

30 (b) If the child has completed kindergarten, be admitted to the
31 first grade at the beginning of that school year,

32 ↪ and the child's enrollment must be counted for purposes of
33 apportionment. If a child is not 6 years of age on or before August 1
34 of the school year, or if August 1 does not occur during the school
35 year, on or before August 1 preceding the school year, the child
36 must not be admitted to the first grade until the beginning of the
37 school year following the child's sixth birthday.

38 4. The parents, custodial parent, guardian or other person
39 within the State of Nevada having control or charge of a child who
40 is ~~6~~ 5 years of age on or before August 1 of the school year, or if
41 August 1 does not occur during the school year, on or before
42 August 1 preceding the school year may elect for the child not to
43 attend kindergarten ~~for the first grade~~ during that year. The parents,
44 custodial parent, guardian or other person who makes such an



1 election shall file with the board of trustees of the appropriate school
2 district a waiver in a form prescribed by the board.

3 5. Whenever a child who is 6 years of age is enrolled in a
4 public school, each parent, custodial parent, guardian or other
5 person in the State of Nevada having control or charge of the child
6 shall send the child to the public school during all the time the
7 school is in session. If the board of trustees of a school district has
8 adopted a policy prescribing a minimum number of days of
9 attendance for pupils enrolled in kindergarten or first grade pursuant
10 to NRS 392.122, the school district shall provide to each parent and
11 legal guardian of a pupil who elects to enroll his or her child in
12 kindergarten or first grade a written document containing a copy of
13 that policy and a copy of the policy of the school district concerning
14 the withdrawal of pupils from kindergarten or first grade. Before the
15 child's first day of attendance at a school, the parent or legal
16 guardian shall sign a statement on a form provided by the school
17 district acknowledging that he or she has read and understands the
18 policy concerning attendance and the policy concerning withdrawal
19 of pupils from kindergarten or first grade. The parent or legal
20 guardian shall comply with the applicable requirements for
21 attendance. This requirement for attendance does not apply to any
22 child under the age of ~~7~~ 6 years who has not yet been enrolled or
23 has been formally withdrawn from enrollment in public school.

24 6. ~~[A child who is 7 years of age on or before August 1 of the~~
25 ~~school year, or if August 1 does not occur during the school year, on~~
26 ~~or before August 1 preceding the school year must:~~

27 ~~—(a) If the child has completed kindergarten and the first grade,~~
28 ~~be admitted to the second grade.~~

29 ~~—(b) If the child has completed kindergarten, be admitted to the~~
30 ~~first grade.~~

31 ~~—(c) If the parents, custodial parent, guardian or other person in~~
32 ~~the State of Nevada having control or charge of the child waived the~~
33 ~~child's attendance from kindergarten pursuant to subsection 4,~~
34 ~~undergo an assessment by the district pursuant to subsection 7 to~~
35 ~~determine whether the child is prepared developmentally to be~~
36 ~~admitted to the first grade. If the district determines that the child is~~
37 ~~prepared developmentally, the child must be admitted to the first~~
38 ~~grade. If the district determines that the child is not so prepared, he~~
39 ~~or she must be admitted to kindergarten.~~

40 ~~➔ The enrollment of any child pursuant to this subsection must be~~
41 ~~counted for apportionment purposes.~~

42 ~~—7. Each school district shall prepare and administer before the~~
43 ~~beginning of each school year a developmental screening test to a~~
44 ~~child:~~



1 ~~—(a) Who is 7 years of age on or before August 1 of the school~~
2 ~~year, or if August 1 does not occur during the school year, on or~~
3 ~~before August 1 preceding the school year; and~~

4 ~~—(b) Whose parents waived the child's attendance from~~
5 ~~kindergarten pursuant to subsection 4;~~

6 ~~↳ to determine whether the child is prepared developmentally to be~~
7 ~~admitted to the first grade. The results of the test must be made~~
8 ~~available to the parents, custodial parent, guardian or other person~~
9 ~~within the State of Nevada having control or charge of the child.~~

10 ~~—8.]~~ Except as otherwise provided in subsection ~~[9.]~~ 7, a child
11 who becomes a resident of this State after completing kindergarten
12 or beginning first grade in another state in accordance with the laws
13 of that state may be admitted to the grade the child was attending or
14 would be attending had he or she remained a resident of the other
15 state regardless of his or her age, unless the board of trustees of the
16 school district determines that the requirements of this section are
17 being deliberately circumvented.

18 ~~[9.]~~ 7. Pursuant to the provisions of NRS 388F.010, a child
19 who transfers to a school in this State from a school outside this
20 State because of the military transfer of the parent or legal guardian
21 of the child must be admitted to:

22 (a) The grade, other than kindergarten, the child was attending
23 or would be attending had he or she remained a resident of the other
24 state, regardless of the child's age.

25 (b) Kindergarten, if the child was enrolled in kindergarten in
26 another state in accordance with the laws of that state, regardless of
27 the child's age.

28 ~~[10.]~~ 8. As used in this section, "kindergarten" includes:

29 (a) A kindergarten established by the board of trustees of a
30 school district pursuant to NRS 388.060;

31 (b) A kindergarten established by the governing body of a
32 charter school; and

33 (c) An authorized program of instruction for kindergarten
34 offered in a child's home pursuant to NRS 388.060.

35 **Sec. 12.5.** NRS 392.160 is hereby amended to read as follows:

36 392.160 1. Any peace officer, the attendance officer or any
37 other school officer shall, during school hours, take into custody
38 without warrant:

39 (a) Any child between the ages of ~~[7]~~ 6 and 18 years; and

40 (b) Any child who has arrived at the age of ~~[6]~~ 5 years but not at
41 the age of ~~[7]~~ 6 years and is enrolled in a public school,

42 ↳ who has been reported to the officer by the teacher,
43 superintendent of schools or other school officer as an absentee
44 from instruction upon which the child is lawfully required to attend.

45 2. Except as otherwise provided in subsection 3:



1 (a) During school hours, the officer having custody shall
2 forthwith deliver the child to the superintendent of schools, principal
3 or other school officer at the child's school of attendance.

4 (b) After school hours, the officer having custody shall deliver
5 the child to the parent, guardian or other person having control or
6 charge of the child.

7 3. The board of trustees of a school district or the governing
8 body of a charter school may enter into an agreement with a
9 counseling agency to permit delivery of the child to the agency. For
10 the purposes of this subsection, "counseling agency" means an
11 agency designated by the school district in which the child is
12 enrolled to provide counseling for the child and the parent, guardian
13 or other person having control or charge of the child.

14 **Sec. 13.** (Deleted by amendment.)

15 **Sec. 14.** (Deleted by amendment.)

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

17 **Sec. 15.3.** NRS 422A.333 is hereby amended to read as
18 follows:

19 422A.333 1. A recipient who has control or charge of a child
20 who is not less than ~~7~~ 6 years of age, but is less than 12 years of
21 age, must comply with the provisions of NRS 392.040 with respect
22 to that child.

23 2. If the head of a household that is receiving benefits pursuant
24 to the program to provide Temporary Assistance for Needy Families
25 has control or charge of a child who is not less than ~~7~~ 6 years of
26 age, but is less than 12 years of age, the head of the household shall
27 take every reasonable action to ensure that the child is not at risk of
28 failing to advance to the next grade level in school.

29 3. If the head of a household that is receiving benefits pursuant
30 to the program to provide Temporary Assistance for Needy Families
31 has control or charge of a child who is not less than ~~7~~ 6 years of
32 age, but is less than 12 years of age and:

33 (a) The head of the household does not comply with the
34 provisions of NRS 392.040 with respect to that child; or

35 (b) That child is at risk of failing to advance to the next grade
36 level in school,

37 ➤ the Division shall require the head of the household to review
38 with the Division the personal responsibility plan signed by the head
39 of household pursuant to NRS 422A.535 and revise the plan as
40 necessary to assist the head of the household in complying with the
41 provisions of NRS 392.040 and helping the child to improve his or
42 her academic performance.

43 **Sec. 15.5.** A child who is 6 years of age or older on or before
44 August 1, 2024, and enrolls in public school for the first time must:



1 1. If the child has not completed kindergarten, be admitted to
2 kindergarten at the beginning of the 2024-2025 school year; or

3 2. If the child has completed kindergarten, be admitted to the
4 first grade at the beginning of the 2024-2025 school year.

5 **Sec. 15.7** Notwithstanding the provisions of NRS 392.040, as
6 amended by sections 12 and 12.3 of this act:

7 1. A child who is enrolled in a prekindergarten program during
8 the 2022-2023 school year may be admitted to kindergarten at the
9 beginning of the 2023-2024 school year if the child is 5 years of age
10 on or before the first day of the school year.

11 2. A pupil who is enrolled in and successfully completes
12 kindergarten or first grade in a public school during the 2022-2023
13 or 2023-2024 school years may be promoted to the next grade level
14 regardless of his or her age during the 2023-2024 and 2024-2025
15 school years, as applicable.

16 **Sec. 16.** 1. This section and sections 1 to 12, inclusive, 13,
17 14, 15 and 15.7 of this act becomes effective on July 1, 2023.

18 2. Sections 12.3, 12.5, 15.3 and 15.5 of this act become
19 effective on July 1, 2024.

