

Amendment No. 884

Assembly Amendment to Assembly Bill No. 400

(BDR 34-1088)

Proposed by: Assembly Committee on Ways and Means

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will REMOVE the unfunded mandate from A.B. 400.

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



ASSEMBLY BILL NO. 400—COMMITTEE ON EDUCATION

(ON BEHALF OF THE OFFICE OF THE GOVERNOR)

MARCH 24, 2023

Referred to Committee on Ways and Means

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

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

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

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

Legislative Counsel's Digest:

Existing law authorizes the Department of Education, to the extent money is available, to award grants to certain entities to support prekindergarten programs. (NRS 387.652-387.658) **Sections 11-14** of this bill create the Early Childhood Literacy and Readiness Account and authorize the Department to award grants to certain entities to support early childhood literacy and readiness programs. **Section 15** of this bill transfers certain excess money in the Education Stabilization Account to the Early Childhood Literacy and Readiness Account. — As part of the Pupil Centered Funding Plan, existing law requires money in each fiscal year to be appropriated to each school district to provide transportation for pupils. (NRS 387.1214) **Section 16** of this bill additionally authorizes a charter school to receive money to provide transportation for pupils if: (1) the charter school submits to the Superintendent of Public Instruction a transportation plan which meets certain requirements; and (2) the plan is approved by the Superintendent of Public Instruction. Sections 17-21, 27, 34, 73, 80 and 82 of this bill make conforming changes to refer to provisions that have been renumbered by this bill. **93.5 of this bill makes an appropriation to the Account.**

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

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

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

~~Existing law requires the board of trustees of a school district in a county whose population is 100,000 or more (currently Clark and Washoe Counties) and authorizes the board of trustees of any other school district to establish and maintain a program of career and technical education. (NRS 388.380) Section 26 of this bill requires the board of trustees of a large school district (currently only Clark County School District) and authorizes the board of trustees of any other school district to establish and maintain a program of career and technical education for pupils who wish to become a teacher that includes the opportunity to earn, through enrollment in dual credit courses, at least 12 units of credit applicable to earning a credential, certificate or degree at a community college, state college or university. Section 54 of this bill establishes the State Teacher Pipeline Account for the support of such programs~~

58 ~~of career and technical education. Section 15 transfers certain excess money in the Education~~
59 ~~Stabilization Account to the State Teacher Pipeline Account.]~~

60 Existing law: (1) requires the State Public Charter School Authority to sponsor charter
61 schools; and (2) authorizes the board of trustees of a school district or a college or university
62 within the Nevada System of Higher Education to apply to the Department for authorization to
63 sponsor charter schools. (NRS 388A.220) **Section 32** of this bill : **(1)** authorizes a city or
64 county to apply to the Department for authorization to sponsor charter schools ~~];~~ **(2)**
65 **prohibits a city or county from sponsoring a new charter school or expanding the**
66 **enrollment or authorizing an additional campus of an existing charter school if the total**
67 **number of pupils enrolled in charter schools in the city or county exceeds a certain**
68 **percentage of pupils in public schools other than charter schools; and (3) limits a city or**
69 **county to sponsoring a charter school within the territory of the city or county. Section**
70 **34 of this bill makes conforming changes to refer to provisions that have been**
71 **renumbered by section 32. Sections 1-5, 7, 8, 28-31, 33-39, 50-52 and 75** of this bill
72 authorize a city or county approved by the Department to, in general, sponsor charter schools
73 in the same manner as the board of trustees of a school district or a college or university
74 within the Nevada System of Higher Education.

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

84 ~~Under existing law, financial institutions, mining businesses and other employers are~~
85 ~~required to pay an excise tax (the modified business tax) on wages paid by them. (NRS~~
86 ~~363A.130, 363B.110) Existing law also requires each: (1) person who holds certain licenses~~
87 ~~relating to gaming to pay a monthly license fee based upon gross revenue (the gaming tax);~~
88 ~~and (2) insurer to pay a tax upon net direct premiums and net direct considerations written (the~~
89 ~~general tax on insurance premiums). (NRS 463.370, 680B.027) Existing law: (1) establishes a~~
90 ~~credit against the modified business tax for a taxpayer who makes a donation to a scholarship~~
91 ~~organization that provides grants on behalf of certain pupils to allow the pupils to attend~~
92 ~~schools in this State, including private schools; and (2) limits the total amount of such credits~~
93 ~~in each fiscal year to \$6,655,000. (NRS 363A.139, 363B.119, 388D.270) Section 48: (1)~~
94 ~~increases the maximum household income of an eligible pupil from 300 percent to 500~~
95 ~~percent of the federally designated level signifying poverty; and (2) increases the maximum~~
96 ~~amount of a grant from a certain amount benchmarked for inflation (currently \$8,726) to an~~
97 ~~amount equal to the adjusted base per pupil funding that would apply to a school pursuant to~~
98 ~~the Pupil-Centered Funding Plan if the school were a charter school. Sections 81 and 83 of~~
99 ~~this bill increase the total amount of authorized tax credits from \$6,655,000 in a fiscal year to~~
100 ~~an amount equal to 0.50 percent of all money deposited in the State Education Fund in Fiscal~~
101 ~~Years 2023-2024 and 2024-2025, increasing to 5 percent of all money deposited in the State~~
102 ~~Education Fund in Fiscal Year 2031-2032 and each fiscal year thereafter. Sections 84, 87 and~~
103 ~~88 of this bill establish a credit against the gaming tax and the general tax on insurance~~
104 ~~premiums for a licensee or insurer, respectively, who makes a donation to a scholarship~~
105 ~~organization to be administered in the same manner as a credit against the modified business~~
106 ~~tax. Sections 85 and 89-92 of this bill make conforming changes to indicate the proper~~
107 ~~placement of sections 87 and 88 in the Nevada Revised Statutes.~~

108 ~~Existing law: (1) deems each public school within a large school district (currently Clark~~
109 ~~County School District) to be a local school precinct which is empowered to carry forward its~~
110 ~~year-end balance to the next school year for use by the local school precinct; and (2) requires~~
111 ~~a large school district to account for any amount carried forward by a local school precinct as~~
112 ~~a restricted fund balance. (NRS 388G.600, 388G.650) Section 53 of this bill requires a local~~
113 ~~school precinct that carries forward a balance of more than 3 percent of its actual expenditures~~
114 ~~to develop a plan to use the balance for certain purposes. If a local school precinct fails to~~
115 ~~submit such a plan or to spend the balance within 2 years, section 53 requires a large school~~

~~district to transfer the balance in excess of 3 percent of the expenditures of the local school precinct to the Education Stabilization Account.]~~

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

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

Existing law requires an elementary school to provide intervention services and intensive instruction to a pupil during the time the pupil attends the school if the pupil does not obtain a score in the subject area of reading on the criterion-referenced examination in reading that meets the score prescribed by the State Board. Existing law also authorizes the principal of such a school to retain the pupil, rather than promote the pupil to the next grade, in certain circumstances, in consultation with a literacy specialist and certain other persons. (NRS 388A.487, 392.760) **Sections 71 and 72** of this bill require a pupil enrolled in grade 3 to be retained in grade 3, rather than promoted to grade 4, if the pupil does not obtain the score in the subject area of reading on ~~the criterion-referenced~~ **a uniform** examination in reading that meets the score prescribed by the State Board or receive an exemption by the superintendent of schools of the school district or governing body of the charter school. **Sections 71 and 72** also authorize a pupil to receive a good-cause exemption to allow the pupil to be promoted to grade 4 without obtaining such a score and require the State Board to prescribe an alternative examination for pupils who do not obtain such a score. **Section 40** of this bill requires a pupil enrolled in a charter school to be retained in grade 3 under similar circumstances. **Section 76** of this bill revises the information that must be included in a written notice provided to the parent or legal guardian of a pupil enrolled in kindergarten or grade 1, 2 or 3 who exhibits a deficiency in the subject area of reading. **Section 77** of this bill requires a school to provide certain intervention services and intensive instruction to a pupil who does not obtain a passing score in **the subject area of reading** regardless of whether the pupil is retained in grade 3. **Section 77 additionally: (1) requires literacy specialists and personnel with knowledge and expertise relating to providing intervention services and intensive instruction to pupils who are deficient in the subject area of reading to, in addition to any other duties, provide such services and instruction to such pupils; and (2) requires each public school to offer summer school to a pupil in second or third grade who is deficient in the subject area of reading.** **Sections 40 and 78** of this bill require certain information relating to pupils with a deficiency in reading who were retained in grade 3 or not retained due to a good-cause exemption to be included in the annual report of pupils receiving intervention services and

175 intensive instruction to address a deficiency in reading. **Sections 6 and 74** of this bill make
176 conforming changes to refer to provisions that have been renumbered by this bill.

177 ~~[Existing law requires, in general, a public employee who retires and is subsequently~~
178 ~~reemployed in a position covered by the Public Employees' Retirement System to forfeit his~~
179 ~~or her retirement benefits for the period of reemployment. (NRS 286.520) If a position is~~
180 ~~designated as a position for which there is a critical labor shortage, however, a retired public~~
181 ~~employee may fill the position and continue to receive his or her retirement benefits during~~
182 ~~the period of reemployment. (NRS 286.523) Section 79 of this bill authorizes the Governor to~~
183 ~~designate a position in any school district or charter school in this State as a position for which~~
184 ~~there is a critical labor shortage, thereby enabling such a position to be filled by a retired~~
185 ~~employee without loss of retirement benefits.]~~

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

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

2 385.620 The Advisory Council shall:

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

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

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

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

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

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

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

27 8. Determine the necessity for the appointment of a statewide parental
28 involvement and family engagement coordinator or a parental involvement and
29 family engagement coordinator in each school district, or both;

30 9. Work in collaboration with the Office of Parental Involvement and Family
31 Engagement created by NRS 385.630 to carry out the duties prescribed in NRS
32 385.635; and

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

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

2 385A.070 1. The board of trustees of each school district in this State, in
3 cooperation with associations recognized by the State Board as representing
4 licensed educational personnel in the district, shall adopt a program providing for
5 the accountability of the school district to the residents of the district and to the
6 State Board for the quality of the schools and the educational achievement of the
7 pupils in the district, including, without limitation, pupils enrolled in charter
8 schools sponsored by the school district. The board of trustees of each school
9 district shall report the information required by NRS 385A.070 to 385A.320,
10 inclusive, for each charter school sponsored by the school district. The information
11 for charter schools must be reported separately.

12 2. The board of trustees of each school district shall, on or before December
13 31 of each year, prepare for the immediately preceding school year a single annual
14 report of accountability concerning the educational goals and objectives of the
15 school district, the information prescribed by NRS 385A.070 to 385A.320,
16 inclusive, and such other information as is directed by the Superintendent of Public
17 Instruction. A separate reporting for a group of pupils must not be made pursuant to
18 NRS 385A.070 to 385A.320, inclusive, if the number of pupils in that group is
19 insufficient to yield statistically reliable information or the results would reveal
20 personally identifiable information about an individual pupil. The Department shall
21 use the mechanism approved by the United States Department of Education for the
22 statewide system of accountability for public schools for determining the minimum
23 number of pupils that must be in a group for that group to yield statistically reliable
24 information.

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

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

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

45 385A.080 1. The Superintendent of Public Instruction shall:

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

50 (b) Provide statistical information and technical assistance to the school
51 districts, the State Public Charter School Authority , ~~and~~ each college or
52 university within the Nevada System of Higher Education *and each city or county*
53 that sponsors a charter school to ensure that the reports provide comparable

1 information with respect to each school in each district, each charter school and
2 among the districts and charter schools throughout this State.

3 (c) Consult with a representative of the:

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

11 ↘ concerning the program adopted pursuant to subsection 1 of NRS 385A.070 and
12 consider any advice or recommendations submitted by the representatives with
13 respect to the program.

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

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

20 385A.090 1. On or before September 30 of each year:

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

- 29 (1) Governor;
- 30 (2) State Board;
- 31 (3) Department;
- 32 (4) Committee;
- 33 (5) Bureau; and
- 34 (6) The Attorney General, with a specific reference to the information that

35 is reported pursuant to paragraph (e) of subsection 1 of NRS 385A.250.

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

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

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

8 385A.240 1. The annual report of accountability prepared pursuant to NRS
9 385A.070 must include information on the attendance, truancy and transiency of
10 pupils, including, without limitation:

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

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

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

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

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

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

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

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

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

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

43 (a) Pupils who are economically disadvantaged;

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

45 (c) Pupils with disabilities;

46 (d) Pupils who are English learners;

47 (e) Pupils who are migratory children;

48 (f) Gender;

49 (g) Pupils who are homeless;

50 (h) Pupils in foster care; and

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

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

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

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

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

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

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

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

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

27 (b) The number of pupils in each grade who are retained in the same grade
28 pursuant to NRS 392.033, ~~1~~ or 392.125 or ~~392.760~~, *section 71 of this act*, for
29 each school in the district and the district as a whole, including, without limitation,
30 each charter school sponsored by the district.

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

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

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

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

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

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

47 (a) Pupils who are economically disadvantaged;

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

49 (c) Pupils with disabilities;

50 (d) Pupils who are English learners;

51 (e) Pupils who are migratory children;

52 (f) Gender;

53 (g) Pupils who are homeless;

1 (h) Pupils in foster care; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 2. The determination pursuant to subsection 1 for a public school, including,
47 without limitation, a charter school sponsored by the board of trustees of the school
48 district, must be made in consultation with the board of trustees of the school
49 district in which the public school is located. If a charter school is sponsored by the
50 State Public Charter School Authority , ~~{ }~~ a college or university within the
51 Nevada System of Higher Education ~~{ }~~ or a city or county, the Department shall
52 make a determination for the charter school in consultation with the State Public
53 Charter School Authority , ~~{ }~~ the institution within the Nevada System of Higher

1 Education *or the city or county* that sponsors the charter school, as applicable. The
2 determination made for each school must be based only upon the information and
3 data for those pupils who are enrolled in the school for a full academic year. On or
4 before July 31 of each year, the Department shall transmit:

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

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

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

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

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

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

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

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

30 5. As used in this section:

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

33 (b) "Irregularity in testing security" has the meaning ascribed to it in NRS
34 390.260.

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

36 385A.720 1. Except as otherwise provided in subsection 3:

37 (a) Based upon the information received from the Department pursuant to NRS
38 385A.670, the board of trustees of each school district shall, on or before August 15
39 of each year, issue a preliminary rating for each public school in the school district
40 in accordance with the statewide system of accountability for public schools,
41 excluding charter schools sponsored by the State Public Charter School Authority,
42 ~~or~~ a college or university within the Nevada System of Higher Education ~~or~~ *or a*
43 *city or county*.

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

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

50 2. Except as otherwise provided in subsection 3:

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

1 (b) If the school is a public school of the school district or a charter school
 2 sponsored by the board of trustees, the board of trustees of the school district shall,
 3 in consultation with the Department, make a final determination concerning the
 4 rating for the school on September 15.

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

9 3. The Department may temporarily waive or otherwise pause the
 10 requirement to make ratings for public schools that comply with 20 U.S.C. §
 11 6311(c) pursuant to this section if the United States Department of Education grants
 12 a waiver from or otherwise pauses the requirements of 20 U.S.C. § 6311(c).

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

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

17 ~~386.790 1. As provided in this title, the board of trustees of any school
 18 district may furnish transportation for all resident children of school age in the
 19 school district attending a public school, including pupils assigned to special
 20 schools or programs pursuant to NRS 388.417 to 388.469, inclusive, or 388.5251 to
 21 388.5267, inclusive;~~

22 ~~(a) Who are not excused from school attendance by the provisions of this title;
 23 and~~

24 ~~(b) Who reside within the school district at such a distance from the school as
 25 to make transportation necessary and desirable;~~

26 ~~2. When the board of trustees of a school district whose population is less
 27 than 100,000 furnishes transportation for pupils attending public schools pursuant
 28 to subsection 1, the board may also provide transportation for all resident children
 29 of school age in the school district attending private schools not operated for profit,
 30 over bus routes established for pupils attending public schools. If such
 31 transportation is provided, the pupils attending such private schools must be
 32 transported, if space is available, to and from the points on the established routes
 33 nearest to the schools which they attend;~~

34 ~~3. The board of trustees of any school district may:~~

35 ~~(a) Establish bus routes;~~

36 ~~(b) Make regulations governing the conduct of pupils while being transported;~~

37 ~~(c) For the safety of pupils being transported, govern the conduct of drivers by
 38 making and enforcing regulations not inconsistent with regulations of the State
 39 Board of Education or with law;~~

40 ~~4. The board of trustees of a school district that furnishes transportation
 41 pursuant to this section may elect not to provide transportation to pupils who
 42 attend a public school outside of the zone of attendance that the pupil is otherwise
 43 required to attend pursuant to paragraph (f) of subsection 2 of NRS 388.040.
 44 **(Deleted by amendment.)**~~

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

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

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

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

1 (a) *The money in the Account, after deducting any applicable charge; and*
2 (b) *Unexpended appropriations made to the Account from the State General*
3 *Fund,*

4 *↪ must be credited to the Account.*

5 3. ~~*Any money*~~ *Except as otherwise provided in subsection 4, the balance*
6 *remaining in the Account ~~at the end~~ that has not been committed for*
7 *expenditure on or before June 30 of ~~the~~ each fiscal year ~~is, including, without~~*
8 *limitation, any unexpended appropriations made to the Account from the State*
9 *General Fund, ~~does not revert~~ reverts to the State General Fund ~~is, and the~~*
10 *balance in the Account must be carried forward to the next fiscal year.*

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

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

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

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

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

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

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

25 (b) *Be evidence-based;*

26 (c) *Provide for appropriate individualized accommodations and supports for*
27 *children with disabilities; and*

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

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

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

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

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

40 (a) *Receives money from a private source;*

41 (b) *Receives money from a federal grant;*

42 (c) *Has demonstrated sustained success in improving the literacy and*
43 *readiness for elementary school of children less than 6 years of age; or*

44 (d) *Provides services to geographical areas with a higher proportion of*
45 *children entering kindergarten who have demonstrated a deficit across early*
46 *learning domains during the immediately preceding 2 years.*

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

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

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

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

- 1 (b) *The number of grants awarded pursuant to section 13 of this act;*
 2 (c) *The total cost of all grants awarded pursuant to section 13 of this act; and*
 3 (d) *Such other information as may be prescribed by the Department to*
 4 *demonstrate the effectiveness of recipients of a grant awarded pursuant to section*
 5 *13 of this act in improving the literacy and readiness for elementary school of*
 6 *children less than 6 years of age.*

7 **Sec. 15.** ~~[NRS 387.1213 is hereby amended to read as follows:~~

8 ~~387.1213 1. The Education Stabilization Account is hereby created in the~~
 9 ~~State Education Fund. Except as otherwise provided in subsections 3 and 4, each~~
 10 ~~year after the close of the previous fiscal year and before the issuance of the State~~
 11 ~~Controller's annual report, each county school district shall transfer from the county~~
 12 ~~school district fund to the Education Stabilization Account any amount by which~~
 13 ~~the budgeted ending fund balance of the county school district fund exceeds 16.6~~
 14 ~~percent of the total budgeted expenditures for the fund. The interest and income~~
 15 ~~earned on the money in the Account, after deducting any applicable charges, must be~~
 16 ~~[credited to the Account.] transferred as follows:~~

17 ~~(a) Seventy-five percent to the Teach Nevada Scholarship Program Account~~
 18 ~~created by NRS 391A.575; and~~

19 ~~(b) Twenty-five percent to the Nevada Teacher Advancement Scholarship~~
 20 ~~Program Account created by section 62 of this act.~~

21 ~~2. Money transferred pursuant to subsection 1 to the Education Stabilization~~
 22 ~~Account is a continuing appropriation solely for the purpose of authorizing the~~
 23 ~~expenditure of the transferred money for the purposes set forth in this section.~~

24 ~~3. The balance in the Education Stabilization Account must not exceed 15~~
 25 ~~percent of the total of all appropriations and authorizations from the State~~
 26 ~~Education Fund, excluding the Education Stabilization Account, for the~~
 27 ~~immediately preceding fiscal year. Any money transferred to the Education~~
 28 ~~Stabilization Account which exceeds this amount must instead be transferred [to the~~
 29 ~~State Education Fund.] as follows:~~

30 ~~(a) If the balance in the Education Stabilization Account is 17 percent or~~
 31 ~~more of the total of all appropriations and authorizations from the State~~
 32 ~~Education Fund, excluding the Education Stabilization Account for the~~
 33 ~~immediately preceding year:~~

34 ~~(1) An amount of the excess equal to 1 percent of the total of all~~
 35 ~~appropriations and authorizations from the State Education Fund, excluding the~~
 36 ~~Education Stabilization Account for the immediately preceding year to the State~~
 37 ~~Teacher Pipeline Account created by section 54 of this act;~~

38 ~~(2) An amount of the excess equal to 1 percent of the total of all~~
 39 ~~appropriations and authorizations from the State Education Fund, excluding the~~
 40 ~~Education Stabilization Account for the immediately preceding year to the Early~~
 41 ~~Childhood Literacy and Readiness Account created by section 12 of this act; and~~

42 ~~(3) The remainder of the excess to the State Education Fund.~~

43 ~~(b) If the balance in the Education Stabilization Account does not exceed 17~~
 44 ~~percent of the total of all appropriations and authorizations from the State~~
 45 ~~Education Fund, excluding the Education Stabilization Account for the~~
 46 ~~immediately preceding year:~~

47 ~~(1) Fifty percent to the State Teacher Pipeline Account created by section~~
 48 ~~54 of this act; and~~

49 ~~(2) Fifty percent to the Early Childhood Literacy and Readiness Account~~
 50 ~~created by section 12 of this act.~~

51 ~~4. If the Interim Finance Committee finds that:~~

52 ~~(a) Upon submission of a request from the Department, the actual enrollment~~
 53 ~~growth for a fiscal year exceeds the projected enrollment growth by an amount that~~

1 ~~the Interim Finance Committee determines would make a transfer of money to the~~
2 ~~State Education Fund necessary to fund the excess enrollment; or~~

3 ~~— (b) The collection of revenue in any fiscal year will result in the State~~
4 ~~Education Fund receiving 97 percent or less of the money authorized for~~
5 ~~expenditure from the State Education Fund;~~

6 ~~— the Committee shall by resolution establish an amount of money to transfer from~~
7 ~~the Education Stabilization Account to the State Education Fund and direct the~~
8 ~~State Controller to transfer that amount to the State Education Fund. The State~~
9 ~~Controller shall thereupon make the transfer.~~

10 ~~— 5. The balance remaining in the State Education Fund, excluding the balance~~
11 ~~remaining in the Education Stabilization Account, that has not been committed for~~
12 ~~expenditure on or before June 30 of an odd-numbered fiscal year must be~~
13 ~~transferred to the Education Stabilization Account to the extent that such a transfer~~
14 ~~would not cause the balance in the Education Stabilization Account to exceed the~~
15 ~~limit established in subsection 3.] (Deleted by amendment.)~~

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

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

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

40 ~~— (a) To each school district, an amount of money determined to be sufficient by~~
41 ~~the Legislature, when combined with any other resources available for this purpose,~~
42 ~~to provide food services [and transportation] for pupils and any other similar~~
43 ~~service that the Legislature deems appropriate.~~

44 ~~— (b) Except as otherwise provided in subsection 3, to each school district and~~
45 ~~charter school, an amount of money determined to be sufficient by the~~
46 ~~Legislature, when combined with any other resources available for this purpose,~~
47 ~~to provide transportation for pupils.~~

48 ~~— (c) To each school district, charter school or university school for profoundly~~
49 ~~gifted pupils, an amount of money determined to be sufficient by the Legislature,~~
50 ~~when combined with any other resources available for this purpose, to provide local~~
51 ~~funding to support pupils with disabilities.~~

52 ~~— [(c)] (d) To each school district, an amount of money determined to be~~
53 ~~sufficient by the Legislature, when combined with any other resources available for~~

1 this purpose, to provide adjusted base per pupil funding for each pupil estimated to
 2 be enrolled in the school district.

3 ~~— [(d)] (e) To each charter school or university school for profoundly gifted~~
 4 ~~pupils, an amount of money determined to be sufficient by the Legislature, when~~
 5 ~~combined with any other resources available for this purpose, to provide:~~

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

9 ~~— (2) Adjusted base per pupil funding for each pupil estimated to be enrolled~~
 10 ~~in the charter school or university school for profoundly gifted pupils other than a~~
 11 ~~pupil identified in subparagraph (1).~~

12 ~~— [(e)] (f) To each school district, charter school or university school for~~
 13 ~~profoundly gifted pupils, an amount of money determined to be sufficient by the~~
 14 ~~Legislature, when combined with any other resources available for this purpose, to~~
 15 ~~provide additional weighted funding for each pupil estimated to be enrolled in the~~
 16 ~~school district, charter school or university school for profoundly gifted pupils who~~
 17 ~~is:~~

18 ~~— (1) An English learner;~~

19 ~~— (2) An at-risk pupil; or~~

20 ~~— (3) A gifted and talented pupil.~~

21 ~~— 3. A charter school must not receive any money appropriated pursuant to~~
 22 ~~paragraph (b) of subsection 2 unless the Superintendent of Public Instruction~~
 23 ~~has approved a transportation plan for the charter school. Each charter school~~
 24 ~~that wishes to receive money appropriated pursuant to paragraph (b) of~~
 25 ~~subsection 2 must submit a transportation plan to the Superintendent of Public~~
 26 ~~Instruction. The Superintendent of Public Instruction may approve a~~
 27 ~~transportation plan if he or she determines:~~

28 ~~— (a) The transportation plan will materially improve access to education in the~~
 29 ~~region served by the transportation plan;~~

30 ~~— (b) The transportation plan is financially viable;~~

31 ~~— (c) The cost of the transportation plan would not unreasonably impact the~~
 32 ~~apportionment of money under the Pupil-Centered Funding Plan to other public~~
 33 ~~schools; and~~

34 ~~— (d) The transportation plan would not cost more, on a per-pupil basis, than~~
 35 ~~the average cost for transportation for other public schools operating in the~~
 36 ~~school district in which the charter school is located.~~

37 ~~— 4. The adjusted base per pupil funding appropriated pursuant to paragraph~~
 38 ~~[(e)] (d) of subsection 2 for each school district must be determined by applying the~~
 39 ~~cost adjustment factor established pursuant to NRS 387.1215 which applies to the~~
 40 ~~school district and the attendance area adjustment established pursuant to NRS~~
 41 ~~387.1218 which applies to each applicable area of the school district to the~~
 42 ~~statewide base per pupil funding amount.~~

43 ~~— [4.] 5. The adjusted base per pupil funding appropriated pursuant to~~
 44 ~~subparagraph (2) of paragraph [(d)] (e) of subsection 2 for each charter school or~~
 45 ~~university school for profoundly gifted pupils must be determined by applying the~~
 46 ~~cost adjustment factor established pursuant to NRS 387.1215 which applies to the~~
 47 ~~charter school or university school and, if applicable, the attendance area~~
 48 ~~adjustment established pursuant to NRS 387.1218 to the statewide base per pupil~~
 49 ~~funding amount.~~

50 ~~— [5.] 6. The weighted funding appropriated pursuant to paragraph [(e)] (f) of~~
 51 ~~subsection 2 must be established separately for each category of pupils identified in~~
 52 ~~that paragraph and expressed as a multiplier to be applied to the statewide base per~~
 53 ~~pupil funding amount determined pursuant to subsection 1. A pupil who belongs to~~

~~more than one category of pupils or for whom a school district, charter school or university school for profoundly gifted pupils is eligible to receive the statewide multiplier pursuant to NRS 397.122 must receive only the weighted funding for the single category to which the pupil belongs which has the largest multiplier or the statewide multiplier, whichever is larger. It is the intent of the Legislature that, to the extent practicable:~~

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

~~— (1) The amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year, in which event it is the intent of the Legislature that a proportional reduction be made in both the statewide base per pupil funding amount and the weighted funding appropriated pursuant to paragraph [(c)] (f) of subsection 2; or~~

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

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

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

~~[6.] 7. For any money identified in subsection 4 of NRS 362.170 which is deposited to the credit of the State Education Fund:~~

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

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

~~— [7.] 8. The weighted funding appropriated pursuant to paragraph [(e)] (f) of subsection 2:~~

~~— (a) May not be used to settle or arbitrate disputes between a recognized organization representing employees of a school district or the governing body of a charter school and the school district or governing body or to settle any negotiations; and~~

~~— (b) May not be used to adjust the district wide schedules of salaries and benefits of the employees of a school district. **(Deleted by amendment.)**~~

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

~~387.1223 1. On or before October 1, January 1, April 1 and July 1, each school district shall report to the Department, in the form prescribed by the~~

~~Department, the average daily enrollment of pupils pursuant to this section for the immediately preceding quarter of the school year. If October 1, January 1, April 1 or July 1 falls on a Saturday, Sunday or legal holiday, the report may be submitted before 5 p.m. on the next business day.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

~~3. Except as otherwise provided in subsection 4, if the enrollment of pupils in a school district or a charter school that is located within the school district based on the average daily enrollment of pupils during the quarter of the school year is less than or equal to 95 percent of the enrollment of pupils in the same school district or charter school based on the average daily enrollment of pupils during the same quarter of the immediately preceding school year, the enrollment of pupils~~

1 during the same quarter of the immediately preceding school year must be used for
2 purposes of making the monthly apportionments from the State Education Fund to
3 that school district or charter school pursuant to NRS 387.124.

4 ~~4. If the Department determines that a school district or charter school
5 deliberately causes a decline in the enrollment of pupils in the school district or
6 charter school to receive a higher apportionment pursuant to subsection 3,
7 including, without limitation, by eliminating grades or moving into smaller
8 facilities, the enrollment number from the current school year must be used for
9 purposes of apportioning money from the State Education Fund to that school
10 district or charter school pursuant to NRS 387.124.~~

11 ~~5. The Department shall prescribe a process for reconciling the quarterly
12 reports submitted pursuant to subsection 1 to account for pupils who leave the
13 school district or a public school during the school year.~~

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

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

21 ~~8. Pupils who are enrolled in courses which are approved by the Department
22 as meeting the requirements for an adult to earn a high school diploma must not be
23 counted for the purpose of computing the yearly apportionment pursuant to this
24 section.] (Deleted by amendment.)~~

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

26 ~~387.124 Except as otherwise provided in this section and NRS 387.1241,
27 387.1242 and 387.528:~~

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

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

41 ~~(a) Public school other than a charter school, an apportionment must be made
42 to the school district in which the pupil resides. The school district in which the
43 pupil resides shall allocate a percentage of the apportionment to the school district
44 or charter school that provides the program of distance education in the amount set
45 forth in the agreement entered into pursuant to NRS 388.854.~~

46 ~~(b) Charter school, an apportionment must be made to the charter school in
47 which the pupil is enrolled. The charter school in which the pupil is enrolled shall
48 allocate a percentage of the apportionment to the school district or charter school
49 that provides the program of distance education in the amount set forth in the
50 agreement entered into pursuant to NRS 388.854.~~

51 ~~3. The Director of the State Department of Agriculture shall apportion, on or
52 before August 1 of each year, the money designated as the "Nutrition State Match"
53 pursuant to NRS 387.105 to those school districts that participate in the National~~

1 ~~School Lunch Program, 42 U.S.C. §§ 1751 et seq. The apportionment to a school~~
2 ~~district must be directly related to the district's reimbursements for the Program as~~
3 ~~compared with the total amount of reimbursements for all school districts in this~~
4 ~~State that participate in the Program.] (Deleted by amendment.)~~

5 **Sec. 19.** ~~[NRS 387.1241 is hereby amended to read as follows:~~

6 ~~— 387.1241 Except as otherwise provided in NRS 387.124, 387.1242, 387.1244~~
7 ~~and 387.528:~~

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

15 ~~— 2. The governing body of a charter school may submit a written request to the~~
16 ~~Superintendent of Public Instruction to receive, in the first year of operation of the~~
17 ~~charter school, an apportionment 30 days before the apportionment is required to be~~
18 ~~made pursuant to subsections 1 and 2 of NRS 387.124. Upon receipt of such a~~
19 ~~request, the Superintendent of Public Instruction may make the apportionment 30~~
20 ~~days before the apportionment is required to be made. A charter school may receive~~
21 ~~all 12 apportionments in advance in its first year of operation.] (Deleted by~~
22 ~~amendment.)~~

23 **Sec. 20.** ~~[NRS 387.1242 is hereby amended to read as follows:~~

24 ~~— 387.1242 Except as otherwise provided in NRS 387.124, 387.1241, 387.1244~~
25 ~~and 387.528:~~

26 ~~— 1. The apportionment to a university school for profoundly gifted pupils,~~
27 ~~computed on a yearly basis, is equal to the amounts established by law for each~~
28 ~~school year pursuant to paragraphs [(d) and] (e) and (f) of subsection 2 of NRS~~
29 ~~387.1214 for all pupils who attend the university school.~~

30 ~~— 2. The governing body of a university school for profoundly gifted pupils~~
31 ~~may submit a written request to the Superintendent of Public Instruction to receive,~~
32 ~~in the first year of operation of the university school, an apportionment 30 days~~
33 ~~before the apportionment is required to be made pursuant to subsection 1 of NRS~~
34 ~~387.124. Upon receipt of such a request, the Superintendent of Public Instruction~~
35 ~~may make the apportionment 30 days before the apportionment is required to be~~
36 ~~made. A university school for profoundly gifted pupils may receive all 12~~
37 ~~apportionments in advance in its first year of operation.] (Deleted by amendment.)~~

38 **Sec. 21.** ~~[NRS 387.12445 is hereby amended to read as follows:~~

39 ~~— 387.12445 1. Except as otherwise provided in subsection 2, each school~~
40 ~~district shall ensure that all adjusted base per pupil funding received by the school~~
41 ~~district pursuant to paragraph [(e)] (d) of subsection 2 of NRS 387.1214 is~~
42 ~~accounted for separately and, after a deduction for the administrative expenses of~~
43 ~~the school district in an amount which does not exceed the amount prescribed by~~
44 ~~the Department by regulation for each school district, be distributed and used as~~
45 ~~described in this subsection. The adjusted base per pupil funding provided to each~~
46 ~~school district must:~~

47 ~~— (a) Be distributed by each school district to its public schools in a manner that~~
48 ~~ensures each pupil in the school district receives a reasonably equal educational~~
49 ~~opportunity.~~

50 ~~— (b) Be used to support the educational needs of all pupils in the school district,~~
51 ~~including, without limitation, operating each public school in the school district,~~
52 ~~training and supporting educational personnel and carrying out any program or~~
53 ~~service established by, or requirement imposed pursuant to, this title for any~~

1 ~~purpose for which specific funding is not appropriated pursuant to paragraph (a),~~
2 ~~(b), (c) or [(c)] (f) of subsection 2 of NRS 387.1214 or NRS 387.122.~~

3 ~~2. If a school district determines that an additional amount of money is~~
4 ~~necessary to satisfy requirements for maintenance of effort or any other~~
5 ~~requirement under federal law for pupils with disabilities enrolled in the school~~
6 ~~district, the school district may transfer the necessary amount of money from the~~
7 ~~adjusted base per pupil funding received by the school district for that purpose.~~

8 ~~3. Each school district shall ensure that all weighted funding received by the~~
9 ~~school district pursuant to paragraph [(c)] (f) of subsection 2 of NRS 387.1214 is~~
10 ~~accounted for separately and distributed directly to each school in which the~~
11 ~~relevant pupils are estimated to be enrolled.~~

12 ~~4. Each public school shall account separately for the local funding for pupils~~
13 ~~with disabilities received by the public school pursuant to paragraph [(b)] (c) of~~
14 ~~subsection 2 of NRS 387.1214, for the adjusted base per pupil funding received by~~
15 ~~the public school pursuant to paragraph [(c)] (d) of subsection 2 of NRS 387.1214,~~
16 ~~for each category of weighted funding received by the public school pursuant to~~
17 ~~paragraph [(c)] (f) of subsection 2 of NRS 387.1214 and for money received from~~
18 ~~the statewide multiplier pursuant to NRS 387.122. Unless the provisions of~~
19 ~~subsection 7 or 8 impose greater restrictions on the use of weighted funding by a~~
20 ~~public school, the public school must use the weighted funding received for each~~
21 ~~relevant pupil:~~

22 ~~(a) As a supplement to the adjusted base per pupil funding received for the~~
23 ~~pupil; and~~

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

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

30 ~~(a) The amount of money provided to the public school for special education;~~
31 ~~and~~

32 ~~(b) The cost of:~~

33 ~~(1) Instruction provided by licensed special education teachers and~~
34 ~~supporting staff;~~

35 ~~(2) Related services, including, without limitation, services provided by~~
36 ~~psychologists, therapists and health related personnel;~~

37 ~~(3) Transportation of the pupils with disabilities and gifted and talented~~
38 ~~pupils to and from school;~~

39 ~~(4) The direct supervision of educational and supporting programs; and~~

40 ~~(5) The supplies and equipment needed for providing special education.~~

41 ~~6. Money received from federal sources must be accounted for separately and~~
42 ~~excluded from the accounting required pursuant to subsection 5.~~

43 ~~7. A public school that receives weighted funding for one or more at risk~~
44 ~~pupils must use that weighted funding only to provide Victory services and, if one~~
45 ~~or more at risk pupils for whom the school received weighted funding in the at risk~~
46 ~~pupil category also belong to one or more other categories of pupils who receive~~
47 ~~weighted funding, the additional services for each such at risk pupil which are~~
48 ~~appropriate for each category to which the at risk pupil belongs.~~

49 ~~8. A public school that receives weighted funding for one or more pupils who~~
50 ~~are English learners must use that weighted funding only to provide Zoom services~~
51 ~~and, if one or more English learners for whom the school received weighted~~
52 ~~funding in the English learner category also belong to one or more other categories~~
53 ~~of pupils who receive weighted funding, the additional services for each such~~

English learner which are appropriate for each category to which the English learner belongs.

~~9. The Department shall adopt regulations prescribing the maximum amount of money that each school district may deduct for its administrative expenses from the adjusted base per pupil funding received by the school district. When adopting such regulations, the Department may express the maximum amount of money that may be deducted as a percentage of the adjusted base per pupil funding received by the school district.~~

~~10. As used in this section:~~

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

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

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

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

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

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

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

~~(7) A reading skills center.~~

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

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

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

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

~~(2) A reading skills center.~~

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

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

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

~~(6) A summer academy or, for those schools that do not operate on a traditional school calendar, an intercession academy provided free of charge, including, without limitation, the provision of transportation to attend the summer academy or intercession academy.~~

~~(7) An extended school day.~~

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

~~(Deleted by amendment.)~~

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

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

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

- 3 (a) One member appointed by the Governor, who serves as Chair;
4 (b) Two members appointed by the Majority Leader of the Senate;
5 (c) Two members appointed by the Speaker of the Assembly;
6 (d) One member appointed by the Minority Leader of the Senate;
7 (e) One member appointed by the Minority Leader of the Assembly;

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

12 (g) Two members appointed by the Governor, each of whom is the chief
13 financial officer of a school district in this State which has 40,000 or fewer pupils
14 enrolled in its public schools. ~~For the superintendent of such a school district who~~
15 ~~has previously served as the chief financial officer of the school district for not~~
16 ~~less than 3 years,] nominated by the Nevada Association of School Superintendents~~
17 ~~or its successor organization. †~~

18 ~~—(h) One member appointed by the Governor who has demonstrated expertise~~
19 ~~in the operation, performance and accountability of schools and school districts~~
20 ~~and the achievement and educational outcomes of pupils; and~~

21 ~~—(i) One member appointed by the Governor who is an expert in the field of~~
22 ~~education, made in consultation with the Nevada Association of School~~
23 ~~Superintendents.]~~

24 ➤ In making appointments to the Commission, the appointing authorities shall
25 consider whether the membership generally reflects the geographic distribution of
26 pupils in the State.

27 3. Each member of the Commission must:

- 28 (a) Be a resident of this State;
29 (b) Not have been registered as a lobbyist pursuant to NRS 218H.200 for a
30 period of at least 2 years immediately preceding appointment to the Commission;
31 (c) Have relevant experience in public education;
32 (d) Have relevant experience in fiscal policy, school finance or similar or
33 related financial activities;
34 (e) Have the education, experience and skills necessary to effectively execute
35 the duties and responsibilities of a member of the Commission; and
36 (f) Have demonstrated ability in the field of economics, taxation or other
37 discipline necessary to school finance and be able to bring knowledge and
38 professional judgment to the deliberations of the Commission.

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

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

44 6. The Commission shall:

45 (a) Elect a Vice Chair from among its members at its first meeting for a term of
46 3 years. A vacancy in the office of Vice Chair must be filled by the Commission by
47 election for the remainder of the existing term.

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

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

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

3 8. The Department shall provide the Commission with meeting rooms, data
4 processing services and administrative and clerical assistance ~~and~~ *and undertake*
5 *any research, analysis, study or other work required by the Commission to carry*
6 *out its duties pursuant to NRS 387.12463.* The Superintendent of Public
7 Instruction and Office of Finance shall jointly provide the Commission with
8 professional staff services.

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

12 ~~{10. The Commission may meet only between July 1 of an odd-numbered~~
13 ~~year and September 30 of the subsequent even-numbered year.}~~

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

15 387.12463 1. The Commission shall:

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

18 (b) Monitor the implementation of the Pupil-Centered Funding Plan and make
19 any recommendations to the Joint Interim Standing Committee on Education that
20 the Commission determines would, within the limits of appropriated funding,
21 improve the implementation of the Pupil-Centered Funding Plan or correct any
22 deficiencies of the Department or any school district or public school in carrying
23 out the Pupil-Centered Funding Plan.

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

36 (d) Review the laws and regulations of this State relating to education, make
37 recommendations to the Joint Interim Standing Committee on Education for any
38 revision of such laws and regulations that the Commission determines would
39 improve the efficiency or effectiveness of public education in this State and notify
40 each school district of each such recommendation.

41 (e) Review and recommend to the Department revisions of the cost adjustment
42 factors for each county established pursuant to NRS 387.1215 and the method for
43 calculating the attendance area adjustment established pursuant to NRS 387.1218.

44 (f) *Review the academic progress made by pupils in each public school and*
45 *each private school that enrolls one or more pupils on whose behalf the school*
46 *was provided a grant pursuant to NRS 388D.270 since the implementation of the*
47 *Pupil-Centered Funding Plan, including, without limitation, any changes to the*
48 *academic progress of such pupils as the result of any additional money provided*
49 *to each such school by the Pupil-Centered Funding Plan or Nevada Educational*
50 *Choice Scholarship Program. In performing such a review, the Commission*
51 *shall:*

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

- 1 (I) The rate of graduation of pupils from high school by type of
2 diploma;
- 3 (II) The performance of pupils on standardized examinations in
4 math, reading and science;
- 5 (III) The number of credentials or other certifications in fields of
6 career and technical education earned by pupils;
- 7 (IV) The number of pupils who earn a passing score on an advanced
8 placement examination;
- 9 (V) The number of pupils who earn a passing score on an
10 international baccalaureate examination;
- 11 (VI) The percentage of pupils in each school who lack a sufficient
12 number of credits to graduate by the end of their 12th grade year;
- 13 (VII) The percentage of pupils in each school who drop out;
- 14 (VIII) The number of pupils who enroll in higher education upon
15 graduation;
- 16 (IX) The number of pupils who enroll in a vocational or technical
17 school or apprenticeship training program;
- 18 (X) The attendance rate for pupils;
- 19 (XI) The number of violent acts by pupils and disciplinary actions
20 against pupils; and
- 21 (XII) Any other metric prescribed by the Commission;
- 22 (2) Use metrics to measure the improvement of pupils enrolled in
23 elementary school in literacy which include, without limitation:
- 24 (I) The literacy rate for pupils in first, third and fifth grades;
- 25 (II) The number of pupils in elementary school who were promoted
26 to the next grade after testing below proficient in reading in the immediately
27 preceding school year, separated by grade level and by level of performance on
28 the relevant test;
- 29 (III) The number of schools that employ a licensed teacher
30 designated to serve as a literacy specialist pursuant to NRS 388.159 and the
31 number of schools that fail to employ and designate such a licensed teacher; and
- 32 (IV) Any other metric prescribed by the Commission;
- 33 (3) Use metrics to measure the ability of public schools to hire and retain
34 sufficient staff to meet the needs of the public schools which include, without
35 limitation:
- 36 (I) The rate of vacancies in positions for teachers, support staff and
37 administrators;
- 38 (II) The attendance rate for teachers;
- 39 (III) The retention rate for teachers;
- 40 (IV) The number of schools and classrooms within each school in
41 which the number of pupils in attendance exceeds the designed capacity for the
42 school or classroom;
- 43 (V) The number of classes taught by a substitute teacher for more
44 than 25 percent of the school year; and
- 45 (VI) Any other metric prescribed by the Commission;
- 46 (4) Use metrics to measure the extent to which schools meet the needs
47 and expectations of pupils, parents or legal guardians of pupils, teachers and
48 administrators which include, without limitation:
- 49 (I) The results of an annual survey of satisfaction of school
50 employees;
- 51 (II) The results of an annual survey of satisfaction of pupils, parents
52 or legal guardians of pupils and graduates; and
- 53 (III) Any other metric prescribed by the Commission;

1 (5) *Identify the progress made by each school, school district and charter*
2 *school on improving the literacy of pupils enrolled in elementary school;*

3 (6) *Make recommendations for strategies to increase the efficacy,*
4 *efficiency, transparency and accountability of public schools; and*

5 (7) *Make recommendations to the Department, school districts and*
6 *charter schools to improve the reporting, tracking, monitoring, analyzing and*
7 *dissemination of data relating to pupil achievement and financial accountability,*
8 *including, without limitation, revisions to the metrics identified in subparagraphs*
9 *(1) to (4), inclusive.*

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

13 2. *Each school district and each charter school shall submit a quarterly*
14 *report to the Commission that identifies how funding from the Pupil-Centered*
15 *Funding Plan is being used to improve the academic performance and progress*
16 *of pupils and includes, without limitation, all data or metrics collected by the*
17 *school district or charter school to demonstrate such improvement. The*
18 *Commission shall review the reports submitted pursuant to this subsection and*
19 *transmit the reports, along with any commentary or recommendations relating to*
20 *the reports, to the Governor, the Director of the Legislative Counsel Bureau, the*
21 *Joint Interim Standing Committee on Education and the Interim Finance*
22 *Committee.*

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

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

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

35 (b) *After consideration of the recommendations of the Joint Interim*
36 *Standing Committee on Education, transmit the [recommendation]*
37 *recommendations or a revised version of the [recommendation] recommendations*
38 *to the Governor ~~for~~ and the Director of the Legislative Counsel Bureau for*
39 *distribution to the Legislature.*

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

41 387.12468 1. On or before October 1 of each year, each school district shall
42 create a report that includes a description of the personnel employed and services
43 provided by the school district during the immediately preceding school year and
44 any changes that the school district anticipates making to the personnel and services
45 during the current school year. The school district shall post a copy of the report on
46 the Internet website maintained by the school district.

47 2. On or before October 1 of each year, each public school shall create a
48 report that includes a description of the personnel employed and services provided
49 by the school during the immediately preceding school year and any changes the
50 school anticipates making to the personnel and services during the current school
51 year. The public school shall post a copy of the report on the Internet website
52 maintained by the public school or, if the public school does not maintain an

1 Internet website, on the Internet website maintained by the school district or the
2 governing body or sponsor of the public school, as applicable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 **Sec. 25. [NRS 388.040 is hereby amended to read as follows:**

43 ~~— 388.040 1. Except as otherwise provided in subsection 2, the board of~~
44 ~~trustees of a school district that includes more than one school which offers~~
45 ~~instruction in the same grade or grades may zone the school district and determine~~
46 ~~which pupils must attend each school.~~

47 ~~— 2. The establishment of zones pursuant to subsection 1 does not preclude a~~
48 ~~pupil from attending a:~~

49 ~~— (a) Charter school;~~

50 ~~— (b) University school for profoundly gifted pupils;~~

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

~~1 (d) Public school outside the zone of attendance that the pupil is otherwise
2 required to attend if the pupil has been issued a fictitious address pursuant to NRS
3 217.462 to 217.471, inclusive, or the parent or legal guardian with whom the pupil
4 resides has been issued a fictitious address pursuant to NRS 217.462 to 217.471,
5 inclusive; [or]~~

~~6 (e) Public school outside the zone of attendance that the pupil is otherwise
7 required to attend if the pupil is an English learner enrolling in the school pursuant
8 to subsection 5 of NRS 388.408 [;]; or~~

~~9 (f) Public school outside the zone of attendance that the pupil is otherwise
10 required to attend if the public school is not at capacity in the grade or classes
11 required by the pupil.~~

~~12 3. The superintendent of each school district shall:~~

~~13 (a) Establish an application process for a pupil to attend a public school
14 outside the zone of attendance that the pupil is otherwise required to attend
15 pursuant to paragraph (f) of subsection 2. Such a process must:~~

~~16 (1) Include a deadline by which an application must be submitted each
17 school year;~~

~~18 (2) Provide for the notification of pupils and principals when an
19 application is approved; and~~

~~20 (3) Require an application only if a pupil wishes to attend a public school
21 outside the zone of attendance of the pupil.~~

~~22 (b) Establish capacity limits for each grade level and class within each public
23 school in the school district.~~

~~24 (c) Publish, in coordination with the Office of School Choice created by
25 section 45 of this act, the capacity limits established by paragraph (b).~~

~~26 (d) Allow a pupil whose application to attend a public school outside the zone
27 of attendance that the pupil is otherwise required to attend is approved to
28 permanently transfer to that public school without requiring an additional
29 application in any subsequent school year.~~

~~30 4. The application process established pursuant to paragraph (a) of
31 subsection 3 must not consider any of the following factors in determining
32 whether to approve an application:~~

~~33 (a) The academic, artistic or athletic ability of a pupil;~~

~~34 (b) The participation of a pupil in any extracurricular activity or the skill of
35 a pupil in such an activity;~~

~~36 (c) Whether a pupil is a pupil with a disability;~~

~~37 (d) Whether a pupil is an English learner; or~~

~~38 (e) Except as otherwise provided in this paragraph, whether a pupil has
39 previously been the subject of disciplinary action. The superintendent of a school
40 district may deny the application of a pupil who, in the school year for which the
41 application is submitted or the immediately preceding school year, was suspended
42 for 10 or more days or expelled.~~

~~43 5. If an application to attend a public school outside the zone of attendance
44 that a pupil is otherwise required to attend pursuant to paragraph (f) of
45 subsection 2 is approved, the board of trustees of a school district may, but is not
46 required to, provide transportation for the pupil to the public school pursuant to
47 NRS 386.790 to 386.845, inclusive.~~

~~48 6. As used in this section:~~

~~49 (a) "Expelled" has the meaning ascribed to "expel" or "expulsion" in NRS
50 392.4603.~~

~~51 (b) "Suspended" has the meaning ascribed to "suspend" or "suspension" in
52 NRS 392.4607.] (Deleted by amendment.)~~

Sec. 26. ~~[NRS 388.380 is hereby amended to read as follows:~~

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

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

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

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

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

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

~~(b) Technology.~~

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

~~5. The State Board shall adopt regulations prescribing the endorsement of career and technical education for a high school diploma.] (Deleted by~~

~~amendment.)~~

Sec. 27. ~~[NRS 388.429 is hereby amended to read as follows:~~

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

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

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

~~4. The board of trustees of a school district shall establish uniform criteria governing eligibility for instruction under the special education programs provided for by NRS 388.417 to 388.469, inclusive. The criteria must prohibit the placement of a pupil in a program for pupils with disabilities solely because the pupil is a disciplinary problem in school. The criteria are subject to such standards as may be proscribed by the State Board.] (Deleted by amendment.)~~

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

2 388.795 1. The Commission shall establish a plan for the use of educational
3 technology in the public schools of this State. In preparing the plan, the
4 Commission shall consider:

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

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

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

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

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

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

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

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

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

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

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

32 3. The Department shall provide:

33 (a) Administrative support;

34 (b) Equipment; and

35 (c) Office space,

36 ↳ as is necessary for the Commission to carry out the provisions of this section.

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

39 (a) The State Board.

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

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

42 (d) The Department.

43 5. The Commission shall:

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

49 (b) Allocate money to the school districts from the Trust Fund for Educational
50 Technology created pursuant to NRS 388.800 and any money appropriated by the
51 Legislature for educational technology, subject to any priorities for such allocation
52 established by the Legislature.

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

3 (1) Repair, replace and maintain computer systems.
 4 (2) Upgrade and improve computer hardware and software and other
 5 educational technology.

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

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

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

13 (f) In addition to the recommendations set forth in the plan pursuant to
 14 subsection 2, make further recommendations to the Committee and the Department
 15 as the Commission deems necessary.

16 6. During the spring semester of each even-numbered school year, the
 17 Commission shall conduct an assessment of the needs of each school district
 18 relating to educational technology. In conducting the assessment, the Commission
 19 shall consider:

- 20 (a) The recommendations set forth in the plan pursuant to subsection 2;
- 21 (b) The plan for educational technology of each school district, if applicable;
- 22 (c) Evaluations of educational technology conducted for the State or for a
 23 school district, if applicable; and
- 24 (d) Any other information deemed relevant by the Commission.

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

28 7. The Superintendent of Public Instruction shall prepare a written
 29 compilation of the results of the assessment conducted by the Commission and
 30 transmit the written compilation on or before June 1 of each even-numbered year to
 31 the Committee and to the Director of the Legislative Counsel Bureau for
 32 transmission to the next regular session of the Legislature.

33 8. The Commission may appoint an advisory committee composed of
 34 members of the Commission or other qualified persons to provide
 35 recommendations to the Commission regarding standards for the establishment,
 36 coordination and use of a telecommunications network in the public schools
 37 throughout the various school districts in this State. The advisory committee serves
 38 at the pleasure of the Commission and without compensation unless an
 39 appropriation or other money for that purpose is provided by the Legislature.

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

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

44 388A.105 The Department shall adopt regulations that prescribe:

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

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

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

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

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

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

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

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

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

22 388A.159 1. The State Public Charter School Authority is hereby deemed a
23 local educational agency for all purposes, including, without limitation:

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

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

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

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

39 3. As used in this section, “local educational agency” has the meaning
40 ascribed to it in 20 U.S.C. § 7801(30)(A).

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

42 388A.171 The State Public Charter School Authority shall:

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

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

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

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

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

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

11 388A.220 1. The board of trustees of a school district may apply to the
12 Department for authorization to sponsor charter schools within the school district in
13 accordance with the regulations adopted by the Department pursuant to NRS
14 388A.105 or 388A.110. An application must be approved by the Department before
15 the board of trustees may sponsor a charter school. Not more than 180 days after
16 receiving approval to sponsor charter schools, the board of trustees shall provide
17 public notice of its ability to sponsor charter schools and solicit applications for
18 charter schools.

19 2. The State Public Charter School Authority shall sponsor charter schools
20 whose applications have been approved by the State Public Charter School
21 Authority pursuant to NRS 388A.255. Except as otherwise provided by specific
22 statute, if the State Public Charter School Authority sponsors a charter school, the
23 State Public Charter School Authority is responsible for the evaluation, monitoring
24 and oversight of the charter school.

25 3. A college or university within the Nevada System of Higher Education
26 may submit an application to the Department to sponsor charter schools in
27 accordance with the regulations adopted by the Department pursuant to NRS
28 388A.105 or 388A.110. An application must be approved by the Department before
29 a college or university within the Nevada System of Higher Education may sponsor
30 charter schools.

31 4. *A city or county may submit an application to the Department to sponsor*
32 *charter schools in accordance with the regulations adopted by the Department*
33 *pursuant to NRS 388A.105 or 388A.110. An application must be approved by the*
34 *Department before a city or county may sponsor charter schools. A city or*
35 *county:*

36 *(a) May not sponsor a new charter school or allow an existing charter school*
37 *to increase enrollment or operate an additional campus of an existing charter*
38 *school if the total number of pupils enrolled in charter schools in the city or*
39 *county is 7 percent or more of the number of pupils enrolled in public schools*
40 *other than charter schools in the city or county.*

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

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

50 ~~5.~~ 6. Before a board of trustees of a school district, ~~or~~ a college or
51 university within the Nevada System of Higher Education *or a city or county* that is
52 approved to sponsor charter schools approves an application to form a charter
53 school, the board of trustees, ~~or~~ college or university ~~or~~ *or city or county*, as

1 applicable, shall prepare, in collaboration with the Department and, to the extent
 2 practicable, the school district in which the proposed charter school will be located
 3 and any other sponsor of a charter school located in that school district, an
 4 evaluation of ~~the~~

5 ~~—(a) The/~~ the demographic information of pupils ~~, the~~ the

6 ~~—(b) The/~~ and the ~~the~~ academic needs of pupils

7 ~~—(c) The/~~ needs of any pupils who are at risk of dropping out of school in the
 8 geographic areas served by the sponsor ~~, the~~ and

9 ~~—(d) The extent to which public schools in the area to be served by a charter
 10 school exceed the ratio of pupils per licensed teacher established by NRS 388.700,
 11 enroll pupils beyond the stated capacity of the public school or otherwise surpass
 12 any generally accepted standards for class sizes.~~

13 ~~6.]~~ 7. On or before January 31 of each year, the State Public Charter School
 14 Authority shall prepare, in collaboration with the Department and, to the extent
 15 practicable, the board of trustees of each school district in this State and any other
 16 sponsor of a charter school in this State, an evaluation of ~~the~~

17 ~~—(a) The/~~ the demographic information of pupils ~~, the~~ the

18 ~~—(b) The/~~ and the ~~the~~ academic needs of pupils

19 ~~—(c) The/~~ needs of any pupils who are at risk of dropping out of school in this
 20 State ~~, the~~ and

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

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

26 388A.229 1. The sponsor of a charter school shall ensure the collection,
 27 analysis and reporting of all data from the results of pupils enrolled in the charter
 28 school on statewide examinations to determine whether the charter school is
 29 meeting the performance indicators, measures and metrics for the achievement and
 30 proficiency of pupils as set forth in the performance framework for the charter
 31 school in a manner that complies with all applicable federal and state laws.

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

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

52 4. The State Public Charter School Authority may adopt regulations
 53 establishing requirements concerning the manner in which it reports data, including,

1 without limitation, the manner in which data must be aggregated or disaggregated
2 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 management
5 organization may submit the application to the proposed sponsor of the charter
6 school. If an application proposes to convert an existing public school, homeschool
7 or other program of home study into a charter school, the proposed sponsor shall
8 deny the application.

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

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

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

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

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

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

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

29 (g) Consider the academic, financial and organizational performance of any
30 charter schools that currently hold a contract with the proposed operators,
31 including, without limitation, a charter management organization or educational
32 management organization, of the proposed charter school.

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

35 (a) The application:

36 (1) Complies with this chapter and the regulations applicable to charter
37 schools; and

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

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

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

47 (d) It has received sufficient input from the public, including, without
48 limitation, input received at the meeting held pursuant to subsection 1 of NRS
49 388A.252 or subsection 1 of NRS 388A.255, as applicable.

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

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

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

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

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

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

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

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

15 388A.252 1. If the board of trustees of a school district, ~~or~~ a college or a
16 university within the Nevada System of Higher Education ~~[-as applicable,] or a city~~
17 ~~or county~~ receives an application to form a charter school, the board of trustees,
18 ~~or~~ the institution ~~[-]~~ ~~or the city or county~~, as applicable, shall consider the
19 application at a meeting that must be held not later than 60 days after the receipt of
20 the application, or a later period mutually agreed upon by the committee to form the
21 charter school and the board of trustees of the school district, ~~or~~ the institution ~~[-]~~
22 ~~or the city or county~~, as applicable, and ensure that notice of the meeting has been
23 provided pursuant to chapter 241 of NRS. The board of trustees, the college or ~~the~~
24 university ~~[-]~~ ~~or the city or county~~, as applicable, shall review an application in
25 accordance with the requirements for review set forth in subsections 2 and 3 of
26 NRS 388A.249.

27 2. The board of trustees, the college or ~~the~~ university ~~[-]~~ ~~or the city or~~
28 ~~county~~, as applicable, may approve an application if the requirements of subsection
29 3 of NRS 388A.249 are satisfied.

30 3. The board of trustees, the college or ~~the~~ university ~~[-]~~ ~~or the city or~~
31 ~~county~~, as applicable, shall provide written notice to the applicant of its approval or
32 denial of the application. If the board of trustees, the college or ~~the~~ university ~~[-]~~
33 ~~or the city or county~~, as applicable, denies an application, it shall include in the
34 written notice the reasons for the denial and the deficiencies. The applicant must be
35 granted 30 days after receipt of the written notice to correct any deficiencies
36 identified in the written notice and resubmit the application.

37 4. If the board of trustees, the college or ~~the~~ university ~~[-]~~ ~~or the city or~~
38 ~~county~~, as applicable, denies an application after it has been resubmitted pursuant
39 to subsection 3, the applicant may submit a written request for sponsorship by the
40 State Public Charter School Authority not more than 30 days after receipt of the
41 written notice of denial. Any request that is submitted pursuant to this subsection
42 must be accompanied by the application to form the charter school.

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

44 388A.258 Notwithstanding the provisions of NRS 388A.249, 388A.252 and
45 388A.255, the State Public Charter School Authority may adopt regulations
46 establishing timelines and procedures by which the State Public Charter School
47 Authority will review applications and the board of trustees of a school district,
48 ~~[that is approved to sponsor charter schools or]~~ a college or university within the
49 Nevada System of Higher Education ~~or city or county~~ that is approved to sponsor
50 charter schools may adopt policies establishing timelines and procedures by which
51 the board of trustees, ~~or~~ college or university ~~[-]~~ ~~or city or county~~, as applicable,
52 will review applications. These regulations or policies may:

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

3 2. Authorize or require an applicant to submit an abbreviated application, the
4 contents of such an application and criteria that the State Public Charter School
5 Authority will use to determine whether to invite the applicant to submit a full
6 application that meets the requirements of NRS 388A.243 and 388A.246 or deny
7 the abbreviated application and recommend that the applicant make substantial
8 revisions and submit the application during another application cycle.

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

10 388A.270 1. If the proposed sponsor of a charter school approves an
11 application to form a charter school, it shall negotiate, develop and execute a
12 charter contract with the governing body of the charter school. A charter contract
13 must be executed not later than 60 days before the charter school commences
14 operation. The charter contract must be in writing and incorporate, without
15 limitation:

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

17 (b) A description of the administrative relationship between the sponsor of the
18 charter school and the governing body of the charter school, including, without
19 limitation, the rights and duties of the sponsor and the governing body; and

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

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

26 (a) If the board of trustees of a school district is the sponsor of the charter
27 school, the superintendent of schools of the school district;

28 (b) If the State Public Charter School Authority is the sponsor of the charter
29 school, the Chair of the State Public Charter School Authority; ~~for~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (a) Expanding the charter school to offer instruction in grade levels for which
23 the charter school does not already offer instruction.

24 (b) Increasing the total enrollment of a charter school or the enrollment of
25 pupils in a particular grade level in the charter school for a school year to more than
26 120 percent of the enrollment prescribed in the charter contract for that school year.

27 (c) Reducing the total enrollment of a charter school or the enrollment of
28 pupils in a particular grade level in the charter school for a school year to less than
29 80 percent of the enrollment prescribed in the charter contract for that school year.

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

32 (e) Consolidating the operations of multiple charter schools pursuant to NRS
33 388A.282.

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

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

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

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

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

52 388A.378 1. The governing body of a charter school may contract with the
53 board of trustees of the school district in which the charter school is located or in

1 which a pupil enrolled in the charter school resides , ~~for~~ with the Nevada System
2 of Higher Education *or with a city or county* for the provision of facilities to
3 operate the charter school or to perform any service relating to the operation of the
4 charter school, including, without limitation, transportation, the provision of health
5 services for the pupils who are enrolled in the charter school and the provision of
6 school police officers. If the board of trustees of a school district , ~~for~~ a college or
7 university within the Nevada System of Higher Education *or a city or county* is the
8 sponsor of the charter school, the governing body and the sponsor must enter into a
9 service agreement pursuant to NRS 388A.381 before the provision of such services
10 other than for the provision of school police officers when the provisions of NRS
11 388A.384 apply. If the board of trustees of a school district provides services to a
12 charter school pursuant to this section or NRS 388A.474, it shall not charge more
13 than its cost for providing such services determined on a cost per pupil basis.

14 2. A charter school may use any public facility located within the school
15 district in which the charter school is located. A charter school may use school
16 buildings owned by the school district only upon approval of the board of trustees
17 of the school district.

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

21 4. A charter school may:

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

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

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

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

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

33 388A.487 1. The governing body of a charter school that operates as an
34 elementary school shall adopt rules for the provision of intervention services and
35 intensive instruction to *and the academic retention of* pupils who are enrolled in
36 the charter school that are consistent with NRS 392.750, 392.760 and 392.765 ~~and~~
37 *and section 71 of this act*. The rules must:

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

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

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

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

48 (a) Prepare a report concerning the number and percentage of pupils at the
49 charter school who : ~~were:~~

50 (1) ~~Designated~~ *Were designated* in grade 3 to be provided intervention
51 services and intensive instruction while enrolled in an elementary school of a
52 charter school pursuant to NRS 392.760 for a deficiency in the subject area of
53 reading, including whether or not any such pupils were previously provided

1 intervention services and intensive instruction while enrolled in an elementary
 2 school of a charter school; ~~and~~

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

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

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

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

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

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

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

23 **Sec. 41.** ~~[Chapter 388D of NRS is hereby amended by adding thereto the~~
 24 ~~provisions set forth as sections 42 to 45, inclusive, of this act.] **(Deleted by**~~
 25 ~~**amendment.)**~~

26 **Sec. 42.** ~~["Executive Director" means the Executive Director of the Office~~
 27 ~~of School Choice appointed pursuant to section 45 of this act.] **(Deleted by**~~
 28 ~~**amendment.)**~~

29 **Sec. 43.** ~~["Office" means the Office of School Choice created by section 45~~
 30 ~~of this act.] **(Deleted by amendment.)**~~

31 **Sec. 44.** ~~["Scholarship organization" means an organization in this State~~
 32 ~~that meets the requirements set forth in NRS 388D.270.] **(Deleted by**~~
 33 ~~**amendment.)**~~

34 **Sec. 45.** ~~[1. The Office of School Choice is hereby created within the~~
 35 ~~Department.~~

36 ~~2. The Executive Director of the Office:~~

37 ~~(a) Is appointed by and serves at the pleasure of the Governor.~~

38 ~~(b) Is responsible to the Superintendent of Public Instruction.~~

39 ~~(c) Is in the unclassified service of the State.~~

40 ~~3. The Executive Director is responsible for the administration of:~~

41 ~~(a) The Office; and~~

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

46 ~~4. The Office shall:~~

47 ~~(a) Support quality public and private educational choice programs;~~

48 ~~(b) Provide structure, information and assistance to pupils, families, schools,~~
 49 ~~sponsors of charter schools teachers and administrators to promote the success of~~
 50 ~~pupils in any generally accepted means of educating pupils in kindergarten~~
 51 ~~through grade 12, including, without limitation, traditional public schools,~~
 52 ~~charter schools, magnet schools, private schools, micro schools, virtual schools,~~
 53 ~~and homeschoools;~~

~~— (e) Ensure pupils and their families have access to all information necessary to evaluate all public and private school options, including, without limitation, policies and requirements for enrollment and admission, and make such information available on the Internet website of the Office;~~

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

~~— (e) Periodically create reports based on the measurements gathered pursuant to paragraph (d) and publish such reports on the Internet website of the Office;~~

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

~~— (g) Determine the number of available seats in charter schools in this State and publish such information on the Internet website of the Office;~~

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

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

~~— (j) Design, develop and administer a program for open zoning in public schools; and~~

~~— (k) Engage in any other activities to increase options for school choice and allow pupils and their families to efficiently choose such options.] (Deleted by amendment.)~~

Sec. 46. [NRS 388D.250 is hereby amended to read as follows:

~~388D.250 NRS 363A.139, 363B.119 and 388D.250 to 388D.280, inclusive, and sections 42 to 45, inclusive, 84, 87 and 88 of this act may be cited as the Nevada Educational Choice Scholarship Program.] (Deleted by amendment.)~~

Sec. 47. [NRS 388D.260 is hereby amended to read as follows:

~~388D.260 As used in NRS 388D.250 to 388D.280, inclusive, and sections 42 to 45, inclusive, of this act, unless the context otherwise requires, [“scholarship organization” means an organization in this State that meets the requirements set forth in NRS 388D.270.] the words and terms defined in sections 42, 43 and 44 of this act have the meanings ascribed to them in those sections.] (Deleted by amendment.)~~

Sec. 48. [NRS 388D.270 is hereby amended to read as follows:

~~388D.270 1. A scholarship organization must:~~

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

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

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

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

~~— (e) Provide grants on behalf of pupils who are members of a household that has a household income which is not more than [300] 500 percent of the federally designated level signifying poverty to allow those pupils to attend schools in this State chosen by the parents or legal guardians of those pupils, including, without limitation, private schools. The total amount of a grant provided by the scholarship~~

1 organization on behalf of a pupil pursuant to this paragraph must not exceed
 2 ~~[\$7,755 for Fiscal Year 2015-2016.] the adjusted base per pupil funding that~~
 3 ~~would apply pursuant to subsection 5 of NRS 387.1214 to the school attended by~~
 4 ~~the pupil if the school were a charter school.~~

5 ~~— (f) Not limit to a single school the schools for which it provides grants.~~

6 ~~— (g) Except as otherwise provided in paragraph (e), not limit to specific pupils~~
 7 ~~the grants provided pursuant to that paragraph.~~

8 ~~— 2. [The maximum amount of a grant provided by the scholarship organization~~
 9 ~~pursuant to paragraph (e) of subsection 1 must be adjusted on July 1 of each year~~
 10 ~~for the fiscal year beginning that day and ending June 30 in a rounded dollar~~
 11 ~~amount corresponding to the percentage of increase in the Consumer Price Index~~
 12 ~~(All Items) published by the United States Department of Labor for the preceding~~
 13 ~~calendar year.] On May 1 of each year, the [Department of Education] **Executive**~~
 14 ~~**Director** shall [determine the amount of increase required by this subsection,~~
 15 ~~establish the adjusted amounts to take effect on July 1 of that year and notify each~~
 16 ~~scholarship organization of the adjusted amounts. The Department of Education~~
 17 ~~shall also] post the [adjusted amounts] **maximum amount of a grant authorized**~~
 18 ~~**pursuant to paragraph (e) of subsection 1 for each school in this State eligible to**~~
 19 ~~**receive such a grant** on [its] the Internet website [.] of the Office.~~

20 ~~— 3. A grant provided on behalf of a pupil pursuant to subsection 1 must be paid~~
 21 ~~directly to the school chosen by the parent or legal guardian of the pupil.~~

22 ~~— 4. A scholarship organization shall provide each taxpayer and other person~~
 23 ~~who makes a donation, gift or grant of money to the scholarship organization~~
 24 ~~pursuant to paragraph (e) of subsection 1 with an affidavit, signed under penalty of~~
 25 ~~perjury, which includes, without limitation:~~

26 ~~— (a) A statement that the scholarship organization satisfies the requirements set~~
 27 ~~forth in subsection 1; and~~

28 ~~— (b) The total amount of the donation, gift or grant made to the scholarship~~
 29 ~~organization.~~

30 ~~— 5. Each school in which a pupil is enrolled for whom a grant is provided by a~~
 31 ~~scholarship organization shall maintain a record of the academic progress of the~~
 32 ~~pupil. The record must be maintained in such a manner that the information may be~~
 33 ~~aggregated and reported for all such pupils if reporting is required by the~~
 34 ~~regulations of the [Department of Education.] **Executive Director.**~~

35 ~~— 6. The [Department of Education:] **Executive Director:**~~

36 ~~— (a) Shall adopt regulations prescribing the contents of and procedures for~~
 37 ~~applications for grants provided pursuant to subsection 1.~~

38 ~~— (b) May adopt such other regulations as the [Department] **Executive Director**~~
 39 ~~determines necessary to carry out the provisions of this section.~~

40 ~~— 7. As used in this section, “private school” has the meaning ascribed to it in~~
 41 ~~NRS 394.103.] **(Deleted by amendment.)**~~

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

43 ~~— 388D.280 A scholarship organization which receives a donation, gift or grant~~
 44 ~~of money described in NRS 388D.270 shall report to the [Department of~~
 45 ~~Education.] **Executive Director**, on or before January 31 of each year, on a form~~
 46 ~~prescribed by the [Department:] **Executive Director.**~~

47 ~~— 1. The name, address and contact information of the scholarship organization;~~

48 ~~— 2. The total number of such donations, gifts and grants received by the~~
 49 ~~scholarship organization during the immediately preceding calendar year;~~

50 ~~— 3. The total dollar amount of such donations, gifts and grants received during~~
 51 ~~the immediately preceding calendar year;~~

52 ~~— 4. The total number of pupils for whom the scholarship organization made~~
 53 ~~grants during the immediately preceding calendar year pursuant to NRS 388D.270;~~

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

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

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

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

~~(c) The total dollar amount of such grants provided for pupils enrolled in the school.] (Deleted by amendment.)~~

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

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

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

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

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

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

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

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

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

7. If the empowerment plan includes a request for a waiver from a statute or regulation, the board of trustees shall forward the approved empowerment plan to

1 the State Board for review of the request for a waiver. The State Board shall review
2 the empowerment plan and may approve or deny the request for a waiver from a
3 statute or regulation unless the statute or regulation is required by federal law or is
4 required to carry out federal law.

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

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

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

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

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

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

21 388G.140 1. Except as otherwise provided in subsection 7, the
22 empowerment team of a charter school that is sponsored by the State Public Charter
23 School Authority, ~~for~~ by a college or university within the Nevada System of
24 Higher Education *or by a city or county* which develops an empowerment plan
25 pursuant to NRS 388G.120 shall submit the proposed plan to the Department for
26 transmission to the State Board for review and approval pursuant to this section.

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

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

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

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

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

47 5. Except as otherwise provided in subsection 7, an empowerment plan for a
48 charter school that is sponsored by the State Public Charter School Authority, ~~for~~
49 by a college or university within the Nevada System of Higher Education *or by a*
50 *city or county* is not effective and a charter school shall not operate as an
51 empowerment school unless the plan is signed by the President of the State Board,
52 the principal of the charter school and the chair of the empowerment team, if the
53 principal is not the chair.

1 6. Except as otherwise provided in subsection 7, the empowerment team may
2 submit a written request to the Department for an amendment to the empowerment
3 plan approved pursuant to this section, including an explanation of the reason for
4 the amendment. An amendment must be approved in the same manner as the
5 empowerment plan was approved.

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

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

11 388G.200 1. Each empowerment school, other than a charter school that is
12 sponsored by the State Public Charter School Authority, ~~or~~ by a college or
13 university within the Nevada System of Higher Education ~~or~~ *or by a city or county*,
14 shall, on a quarterly basis, submit to the board of trustees of the school district in
15 which the school is located a report that includes:

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

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

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

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

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

26 3. The board of trustees of a school district shall conduct a financial audit of
27 each empowerment school within the school district, other than a charter school
28 that is sponsored by the State Public Charter School Authority, ~~or~~ by a college or
29 university within the Nevada System of Higher Education ~~or~~ *or by a city or county*.
30 Each financial audit must be conducted on an annual basis and more frequently if
31 determined necessary by the board of trustees.

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

37 5. On or before July 1 of each year, the board of trustees of each school
38 district shall compile the reports and audits required pursuant to subsections 1 and
39 3, if any, and forward the compilation to the:

40 (a) Governor;

41 (b) Department; and

42 (c) Joint Interim Standing Committee on Education.

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

46 (a) Governor; and

47 (b) Joint Interim Standing Committee on Education.

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

49 ~~388G.650 1. On or before January 15 of each year, to assist the local school~~
50 ~~precincts in preparing their budgets for the next school year, the superintendent~~
51 ~~shall establish and make public:~~

52 ~~(a) The average unit cost for each type of employee employed to work at a~~
53 ~~local school precinct which is determined based upon the average unit cost across~~

1 ~~the large school district. A separate average unit cost must be established for~~
2 ~~teachers and substitute teachers, respectively.~~

3 ~~— (b) A list of equipment, services and supplies that a local school precinct may~~
4 ~~obtain from the large school district using the money allocated to the local school~~
5 ~~precinct and the cost for such equipment, services and supplies. The cost of such~~
6 ~~equipment, services and supplies must not exceed the actual cost to the large school~~
7 ~~district to provide the equipment, services and supplies to the local school precinct.~~

8 ~~— 2. [Each] Except as otherwise provided in subsections 3 and 4, each local~~
9 ~~school precinct must carry forward its year-end balance to the next school year for~~
10 ~~use by the local school precinct. The large school district must account for any such~~
11 ~~amount that is carried forward as a restricted fund balance.~~

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

23 ~~— (a) Deferred maintenance within the local school precinct;~~

24 ~~— (b) Tutoring or other programs to improve the academic achievement of~~
25 ~~pupils within the local school precinct;~~

26 ~~— (c) Programs to support social, emotional and academic development of~~
27 ~~pupils within the local school precinct;~~

28 ~~— (d) Extracurricular programs for pupils within the local school precinct;~~

29 ~~— (e) One-time incentive payments on the basis of merit to teachers within the~~
30 ~~local school precinct;~~

31 ~~— (f) One-time incentive payments on the basis of merit to support staff within~~
32 ~~the local school precinct;~~

33 ~~— (g) Tutoring or other programs to improve the academic achievement of~~
34 ~~pupils within the large school district;~~

35 ~~— (h) Programs to support social, emotional and academic development of~~
36 ~~pupils within the large school district;~~

37 ~~— (i) Extracurricular programs for pupils within the large school district;~~

38 ~~— (j) One-time incentive payments on the basis of merit to teachers within the~~
39 ~~large school district; and~~

40 ~~— (k) One-time incentive payments on the basis of merit to support staff within~~
41 ~~the large school district.~~

42 ~~— 4. If a local school precinct:~~

43 ~~— (a) Fails to submit a plan required by subsection 3 to the large school district~~
44 ~~within 90 days after the end of a school year from which a year-end balance~~
45 ~~exceeding 2 percent of the actual expenditures of the local school precinct during~~
46 ~~the immediately preceding school year was carried forward; or~~

47 ~~— (b) Fails to spend the entire amount of money by which the year-end balance~~
48 ~~carried forward pursuant to subsection 2 exceeded 2 percent of the actual~~
49 ~~expenditures of the local school precinct during the immediately preceding school~~
50 ~~year pursuant to a plan submitted pursuant to subsection 3 within 2 years after~~
51 ~~the submission of the plan;~~

52 ~~the large school district shall transfer the amount of money by which the~~
53 ~~balance carried forward exceeded 2 percent of the actual expenditures of the~~

~~local school precinct during the immediately preceding school year, less any amount spent by the local school precinct pursuant to a plan submitted pursuant to subsection 3, to the Education Stabilization Account created by NRS 387.1213. The local school precinct shall reduce any balance carried forward by any amount transferred to the Education Stabilization Account pursuant to this subsection.] (Deleted by amendment.)~~

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

~~1. The State Teacher Pipeline Account is hereby created in the State General Fund. The Account must be administered by the State Board.~~

~~2. The interest and income on:~~

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

~~(b) Unexpired appropriations made to the Account from the State General Fund;~~

~~→ must be credited to the Account.~~

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

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

~~5. The money in the Account may only be used to award grants to school districts to support programs of career and technical education created pursuant to subsection 4 of NRS 388.380.] (Deleted by amendment.)~~

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

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

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

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

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

(b) The number of scholarship recipients;

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

(d) The graduation rate of scholarship recipients;

(e) The percentage of students who:

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

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

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

(f) The percentage of scholarship recipients who graduated and became employed as a teacher at a public school ~~for private school~~ in this State; and

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

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

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

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

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

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

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

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

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

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

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

20 *↳ must be credited to the Account.*

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

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

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

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

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

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

41 2. *The State Board shall:*

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

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

51 3. *The State Board:*

52 (a) *Shall prioritize the award of grants from the Account to a university,*
53 *college or other provider of an alternative licensure program that demonstrates*

1 *the university, college or other provider of an alternative licensure program will*
2 *provide scholarships to a greater number of recipients who:*

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

5 *(2) Received the Teach Nevada Scholarship, as defined in NRS*
6 *391A.570, and successfully fulfilled the requirements of subsection 4 of NRS*
7 *391A.585; or*

8 *(3) Are veterans or the spouses of veterans.*

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

13 *(1) Agree to complete the requirements to obtain an endorsement to*
14 *teach English as a second language or an endorsement to teach special*
15 *education;*

16 *(2) Intend to teach in public schools in this State which have the highest*
17 *shortage of teachers;*

18 *(3) Have been economically disadvantaged or belong to a racial or ethnic*
19 *minority group; or*

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

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

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

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

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

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

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

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

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

51 *(b) Equal to the difference between the amount of tuition, registration fees*
52 *and other mandatory fees charged to the student for the program described in*
53 *subsection 1 of section 63 of this act, excluding any amount of the tuition and*

1 *fees that is waived by the university, college or other provider of an alternative*
2 *licensure program, and the total amount of any other gift aid received by the*
3 *student.*

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

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

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

12 (b) *Maintains employment as a teacher at a public school ~~for private school~~*
13 *in this State for 3 consecutive school years immediately following completion of*
14 *the program unless the State Board waives this requirement for good cause*
15 *shown; and*

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

17 5. *To receive the 25 percent of the scholarship money retained by the State*
18 *Board pursuant to paragraph (b) of subsection 2 of section 63 of this act, a*
19 *scholarship recipient who meets the requirements set forth in subsection 4 must*
20 *request the State Board to disburse the money within 1 year after the 2-year*
21 *anniversary of the date on which the scholarship recipient meets the*
22 *requirements of subsection 4.*

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

26 **Sec. 65.** 1. *If a scholarship recipient does not complete the program for*
27 *which the scholarship was awarded for any reason, including, without limitation,*
28 *withdrawing from the university, college or other provider of an alternative*
29 *licensure program or pursuing another course of study, the university, college or*
30 *other provider of an alternative licensure program that awarded the scholarship*
31 *must pay to the State Board for credit to the Account:*

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

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

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

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

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

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

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

- (b) *The number of scholarship recipients;*
- (c) *The total cost of all Nevada Teacher Advancement Scholarships;*
- (d) *The graduation rate of scholarship recipients;*
- (e) *The percentage of students who:*

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

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

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

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

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

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

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

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

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

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

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

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

2. The State Board shall:

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

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

3. The State Board ~~may~~:

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

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

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

(b) *May* prioritize the award of grants from the Account to a university, college or other provider of an alternative licensure program that demonstrates the

1 university, college or other provider of an alternative licensure program will
2 provide scholarships to a greater number of recipients who:

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

4 *(1) Agree to complete the requirements to obtain an endorsement to*
5 *teach English as a second language or an endorsement to teach special*
6 *education;*

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

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

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

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

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

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

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

31 6. The State Board may adopt any regulations necessary to carry out the
32 provisions of NRS 391A.550 to 391A.590, inclusive ~~[(1)], and section 56 of this act.~~

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

34 391A.585 1. Each university, college or other provider of an alternative
35 licensure program that is awarded a grant of money from the Account pursuant to
36 NRS 391A.580 shall use the money to award Teach Nevada Scholarships to
37 students who will attend the university, college or other provider of an alternative
38 licensure program with the intent to complete a program described in subsection 1
39 of NRS 391A.580. Such students may include, without limitation:

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

42 (b) Students who are enrolled at a university or college who change their
43 academic program or major to a program described in subsection 1 of NRS
44 391A.580;

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

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

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

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

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

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

7 (b) ~~Equal to the difference between the amount of tuition, registration fees~~
8 ~~and other mandatory fees charged to the student for the program described in~~
9 ~~subsection 1 of NRS 391A.580, excluding any amount of the tuition and fees that~~
10 ~~is waived by the university, college or other provider of an alternative licensure~~
11 ~~program, and the total amount of any other gift aid received by the student.~~

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

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

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

20 (b) Maintains employment as a teacher at a public school ~~for private school~~
21 in this State for 5 consecutive school years immediately following completion of the
22 program unless the State Board waives this requirement for good cause shown; and

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

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

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

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

34 **Sec. 70.5.** *As used in NRS 392.750 to 392.775, inclusive, and sections 70.5,*
35 *71 and 72 of this act, unless the context otherwise requires, "subject area of*
36 *reading" includes, without limitation, phonological and phonemic awareness,*
37 *decoding skills, reading fluency and vocabulary and reading comprehension.*

38 **Sec. 71.** *1. Except as otherwise provided in this section, a pupil enrolled*
39 *in grade 3 must be retained in grade 3, rather than promoted to grade 4, if the*
40 *pupil does not obtain a score in the subject area of reading on the ~~riterion~~*
41 *~~referenced~~ uniform examination administered pursuant to ~~[NRS 390.105]~~*
42 *paragraph (a) of subsection 5 that meets the passing score prescribed by the State*
43 *Board.*

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

47 *3. The board of trustees of each school district and the governing body of a*
48 *charter school, as applicable, shall develop a policy by which the principal of a*
49 *school may promote a pupil who is retained in grade 3 pursuant to this section to*
50 *grade 4 at any time during the school year if the pupil demonstrates adequate*
51 *proficiency in the subject area of reading. The policy must include the specific*
52 *criteria a pupil must satisfy to be eligible for promotion, including, without*
53 *limitation, a reasonable expectation that the pupil's progress will allow him or*

1 *her to sufficiently master the requirements for a fourth-grade reading level. If a*
2 *pupil is promoted after November 1 of a school year, he or she must demonstrate*
3 *proficiency in reading at a level prescribed by the State Board.*

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

12 *5. The State Board shall prescribe by regulation ~~for~~:*

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

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

18 *(c) An alternative examination for administration to pupils enrolled in grade*
19 *3 who do not obtain the passing score in the subject area of reading on the*
20 *~~riterion-referenced~~ uniform examination administered pursuant to ~~NRS~~*
21 *~~390.105~~ paragraph (a) and the passing score such a pupil must obtain on the*
22 *alternative examination to be promoted to grade 4 without the approval for a*
23 *good-cause exemption pursuant to section 72 of this act.*

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

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

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

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

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

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

43 *(e) Is a pupil with a disability and his or her individualized education*
44 *program indicates that the pupil's participation in the ~~riterion-referenced~~*
45 *examinations uniform examination administered pursuant to ~~NRS 390.105~~*
46 *paragraph (a) of subsection 5 of section 71 of this act is not appropriate; or*

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

48 *(1) He or she participates in the ~~riterion-referenced examinations~~*
49 *uniform examination administered pursuant to ~~NRS 390.105~~ paragraph (a) of*
50 *subsection 5 of section 71 of this act;*

51 *(2) His or her individualized education program or plan developed in*
52 *accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794,*

1 *documents that the pupil has received intensive remediation in reading for more*
2 *than 2 years, but he or she still demonstrates a deficiency in reading; and*

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

4 *3. The principal of a school in which a pupil who may be retained in grade*
5 *3 pursuant to subsection 1 is enrolled shall consider the factors set forth in*
6 *subsection 2 and determine whether the pupil is eligible for a good-cause*
7 *exemption. In making the determination, the principal must consider*
8 *documentation provided by the pupil's teacher indicating whether the promotion*
9 *of the pupil is appropriate based upon the record of the pupil. Such*
10 *documentation must only consist of the existing plan for monitoring the progress*
11 *of the pupil, the pupil's individualized education program, if applicable, and the*
12 *pupil's plan developed in accordance with section 504 of the Rehabilitation Act of*
13 *1973, 29 U.S.C. § 794, if applicable. If the principal determines that promotion of*
14 *the pupil to grade 4 is appropriate, the principal must submit a written*
15 *recommendation to the superintendent of schools of the school district or to the*
16 *governing body of the charter school, as applicable. The superintendent of*
17 *schools or the governing body of the charter school, as applicable, shall approve*
18 *or deny the recommendation of the principal and provide written notice to the*
19 *principal of the approval or denial.*

20 *4. A principal who determines that a pupil is eligible for a good-cause*
21 *exemption pursuant to subsection 3 shall notify the parent or legal guardian of*
22 *the pupil if the superintendent of schools of the school district or the governing*
23 *body of the charter school, as applicable, has approved the good-cause*
24 *exemption.*

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

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

31 **Sec. 73.** ~~[NRS 392.015 is hereby amended to read as follows:~~

32 ~~— 392.015 1. The board of trustees of a school district shall, upon application,~~
33 ~~allow any pupil who resides on an Indian reservation located in two or more~~
34 ~~counties to attend the school nearest to the pupil's residence, without regard to the~~
35 ~~school district in which the pupil's residence is located. For the purposes of~~
36 ~~apportionment of money, if such a pupil attends a school outside the county in~~
37 ~~which the pupil resides, the pupil must be counted as being enrolled in the district~~
38 ~~in which he or she attends school.~~

39 ~~— 2. A pupil who is allowed to attend a school outside the school district in~~
40 ~~which the pupil's residence is located pursuant to this section must remain in that~~
41 ~~school for the full school year.~~

42 ~~— 3. The school district which pays the additional costs of transporting a pupil~~
43 ~~pursuant to this section to a school outside the school district in which the pupil's~~
44 ~~residence is located is entitled to be reimbursed for those costs by the school district~~
45 ~~in which the pupil is enrolled. Such additional costs must be paid from money~~
46 ~~received by the school district in which the pupil is enrolled from the State~~
47 ~~Education Fund pursuant to paragraph [(a)] (b) of subsection 2 of NRS 387.1214.~~

48 ~~— 4. The provisions of this section do not apply to a pupil who:~~

49 ~~(a) Is ineligible to attend public school pursuant to NRS 392.4675; or~~

50 ~~(b) Resides on an Indian reservation pursuant to an order issued by a court of~~
51 ~~competent jurisdiction in another state adjudging the pupil to be delinquent and~~
52 ~~committing him or her to the custody of a public or private institution or agency in~~
53 ~~this state.] (Deleted by amendment.)~~

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

2 392.125 1. Except as otherwise provided in subsection 4 ~~and~~ *and section 71*
3 *of this act*, before any pupil enrolled in a public school may be retained in the same
4 grade rather than promoted to the next higher grade for the succeeding school year,
5 the pupil's teacher and principal must make a reasonable effort to arrange a meeting
6 and to meet with the pupil's parents or guardian to discuss the reasons and
7 circumstances.

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

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

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

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

17 392.128 1. Each advisory board to review school attendance created
18 pursuant to NRS 392.126 shall:

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

24 (b) Identify factors that contribute to the truancy of pupils in the school district;
25 (c) Establish programs to reduce the truancy of pupils in the school district,
26 including, without limitation, the coordination of services available in the
27 community to assist with the intervention, diversion and discipline of pupils who
28 are truant;

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

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

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

35 2. The chair of an advisory board may divide the advisory board into
36 subcommittees. The advisory board may delegate one or more of the duties of the
37 advisory board to a subcommittee of the advisory board, including, without
38 limitation, holding hearings pursuant to NRS 392.147. If the chair of an advisory
39 board divides the advisory board into subcommittees, the chair shall notify the
40 board of trustees of the school district of this action. Upon receipt of such a notice,
41 the board of trustees shall establish rules and procedures for each such
42 subcommittee. A subcommittee shall abide by the applicable rules and procedures
43 when it takes action or makes decisions.

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

50 4. An advisory board to review school attendance created in a county
51 pursuant to NRS 392.126 may use money appropriated by the Legislature and any
52 other money made available to the advisory board for the use of programs to reduce
53 the truancy of pupils in the school district. The advisory board to review school

1 attendance shall, on a quarterly basis, provide to the board of trustees of the school
2 district an accounting of the money used by the advisory board to review school
3 attendance to reduce the truancy of pupils in the school district.

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

5 392.750 If a pupil enrolled at a public elementary school in kindergarten or
6 grade 1, 2 or 3 or who newly enrolls in a public elementary school exhibits a
7 deficiency in the subject area of reading based upon state or local assessments and
8 the observations of the pupil's teacher, the principal of the school must provide
9 written notice of the deficiency to the parent or legal guardian of the pupil within
10 30 days after the date on which the deficiency is discovered. The written notice
11 must, without limitation:

12 1. Identify the educational programs and services that the pupil will receive to
13 improve the pupil's proficiency in the subject area of reading, including, without
14 limitation, the programs and services included in the plan to improve the literacy of
15 pupils enrolled in elementary school that has been approved by the Department
16 pursuant to NRS 388.157;

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

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

27 4. Explain that the ~~criteria referenced~~ *uniform* examination in ~~only~~ the
28 subject area of reading administered pursuant to ~~NRS 390.105~~ *paragraph (a) of*
29 *subsection 5 of section 71 of this act* is not the only factor used to determine
30 whether the pupil will be ~~provided intervention services and intensive instruction~~
31 ~~while the pupil is enrolled in an elementary school;~~ *retained in grade 3 and that*
32 *other options are available for the pupil to demonstrate proficiency if the pupil is*
33 *eligible for a good-cause exemption pursuant to section 72 of this act;*

34 5. Describe the policy and specific criteria adopted by the board of trustees of
35 the school district or governing body of a charter school, as applicable, pursuant to
36 NRS 392.765 regarding ~~the~~ :

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

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

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

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

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

48 9. Explain that a plan to monitor the growth of the pupil in the subject area of
49 reading will regularly assess the pupil and the elementary school will provide notice
50 to the parent or legal guardian the status of the growth of the pupil; and

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

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

2 392.760 1. Except as otherwise provided in this section, an elementary
3 school must provide to a pupil enrolled in the school intervention services and
4 intensive instruction if the pupil does not obtain a score in ~~only~~ the subject area of
5 reading on the ~~criteria referenced~~ *uniform* examination administered pursuant to
6 ~~NRS 390.105~~ *paragraph (a) of subsection 5 of section 71 of this act* that meets
7 the passing score prescribed by the State Board. *The school must provide such*
8 *services and instruction to a pupil, regardless of whether the pupil is retained in*
9 *grade 3 pursuant to section 71 of this act or is not retained in grade 3 because a*
10 *good-cause exemption was approved pursuant to section 72 of this act.*

11 2. The principal of a school, in consultation with the literacy specialist
12 designated pursuant to NRS 388.159 and any teacher or other person with
13 knowledge and expertise related to providing intervention services and intensive
14 instruction to the pupil ~~f~~

15 ~~—(a) Shall~~ *shall* ensure that the pupil continues to be provided intervention
16 services and intensive instruction in the subject area of reading for as long as it
17 is determined to be necessary while the pupil is enrolled at the elementary school.
18 Such instruction must include, without limitation, strategies based upon evidence-
19 based research that will improve proficiency in the subject area of reading.

20 ~~[(b) May retain the pupil in grade 3 rather than promote the pupil to grade 4~~
21 ~~when authorized pursuant to NRS 392.125.]~~

22 3. Each literacy specialist designated pursuant to NRS 388.159 and any
23 teacher or other person with knowledge and expertise relating to providing
24 intervention services and intensive instruction to a pupil in the subject area of
25 reading shall, in addition to any other duties or responsibilities assigned to him or
26 her, provide intervention services and intensive instruction directly to pupils who
27 do not obtain a score in the subject area of reading on the uniform examination
28 administered pursuant to paragraph (a) of subsection 5 of section 71 of this act
29 that meets the passing score prescribed by the State Board.

30 4. Each public school shall offer a pupil who is enrolled in grade 2 or grade
31 3 in the school and does not obtain a score in the subject area of reading on the
32 uniform examination administered pursuant to paragraph (a) of subsection 5 of
33 section 71 of this act that meets the passing score prescribed by the State Board
34 the opportunity to enroll in summer school at the public school.

35 **Sec. 78.** NRS 392.775 is hereby amended to read as follows:

36 392.775 On or before October 15 of each year, the board of trustees of each
37 school district shall:

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

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

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

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

50 (2) Improved at a rate prescribed by the board of trustees of the school
51 district, indicating progress toward performing at a level determined by a statewide
52 assessment to be within the level established by the State Board for pupils enrolled
53 in the same grade in which the pupils are enrolled ~~f~~;

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

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

7 2. Submit a copy of the report to the Department ~~[]~~ and the Legislature. ~~[and~~
 8 ~~sponsor of the charter school.]~~

9 3. Post the report on the Internet website maintained by the school district and
 10 otherwise make the report available to the parents and legal guardians of pupils
 11 enrolled in the school district and the general public.

12 **Sec. 79.** ~~[NRS 286.523 is hereby amended to read as follows:~~

13 ~~286.523 1. It is the policy of this State to ensure that the reemployment of a~~
 14 ~~retired public employee pursuant to this section is limited to positions of extreme~~
 15 ~~need. An employer who desires to employ such a retired public employee to fill a~~
 16 ~~position for which there is a critical labor shortage must make the determination of~~
 17 ~~reemployment based upon the appropriate and necessary delivery of services to the~~
 18 ~~public.~~

19 ~~2. The provisions of subsections 1 and 2 of NRS 286.520 do not apply to a~~
 20 ~~retired employee who accepts employment or an independent contract with a public~~
 21 ~~employer under the System if:~~

22 ~~(a) The retired employee fills a position for which there is a critical labor~~
 23 ~~shortage; and~~

24 ~~(b) At the time of the retired employee's reemployment, the retired employee~~
 25 ~~is receiving:~~

26 ~~(1) A benefit that is not actuarially reduced pursuant to subsection 6 of~~
 27 ~~NRS 286.510; or~~

28 ~~(2) A benefit actuarially reduced pursuant to subsection 6 of NRS 286.510~~
 29 ~~and has reached the required age at which the retired employee could have retired~~
 30 ~~with a benefit that was not actuarially reduced pursuant to subsection 6 of NRS~~
 31 ~~286.510.~~

32 ~~3. A retired employee who is reemployed under the circumstances set forth in~~
 33 ~~subsection 2 may reenroll in the System as provided in NRS 286.525.~~

34 ~~4. [Positions] Except as otherwise provided in subsection 8, positions for~~
 35 ~~which there are critical labor shortages must be determined in an open public~~
 36 ~~meeting held by the designating authority as follows:~~

37 ~~(a) Except as otherwise provided in this subsection, the State Board of~~
 38 ~~Examiners shall designate positions in State Government for which there are~~
 39 ~~critical labor shortages.~~

40 ~~(b) The Supreme Court shall designate positions in the Judicial Branch of State~~
 41 ~~Government for which there are critical labor shortages.~~

42 ~~(c) The Board of Regents shall designate positions in the Nevada System of~~
 43 ~~Higher Education for which there are critical labor shortages.~~

44 ~~(d) The board of trustees of each school district shall designate positions within~~
 45 ~~the school district for which there are critical labor shortages.~~

46 ~~(e) The governing body of a charter school shall designate positions within the~~
 47 ~~charter school for which there are critical labor shortages.~~

48 ~~(f) The governing body of a local government shall designate positions with~~
 49 ~~the local government for which there are critical labor shortages.~~

50 ~~(g) The Board shall designate positions within the System for which there are~~
 51 ~~critical labor shortages.~~

52 ~~5. In determining whether a position is a position for which there is a critical~~
 53 ~~labor shortage [] pursuant to subsection 4, the designating authority shall make~~

1 ~~findings based upon the criteria set forth in this subsection that support the~~
2 ~~designation. Before making a designation, the designating authority shall consider~~
3 ~~all efforts made by the applicable employer to fill the position through other means.~~
4 ~~The written findings made by the designating authority must include:~~

5 ~~— (a) The history of the rate of turnover for the position;~~

6 ~~— (b) The number of openings for the position and the number of qualified~~
7 ~~candidates for those openings after all other efforts of recruitment have been~~
8 ~~exhausted;~~

9 ~~— (c) The length of time the position has been vacant;~~

10 ~~— (d) The difficulty in filling the position due to special circumstances, including,~~
11 ~~without limitation, special educational or experience requirements for the position;~~
12 ~~and~~

13 ~~— (e) The history and success of the efforts to recruit for the position, including,~~
14 ~~without limitation, advertising, recruitment outside of this State and all other efforts~~
15 ~~made.~~

16 ~~— 6. A designating authority that designates a position as a critical need position~~
17 ~~pursuant to subsection 4 shall submit to the System its written findings which~~
18 ~~support that designation made pursuant to subsection 5 on a form prescribed by the~~
19 ~~System. The System shall compile the forms received from each designating~~
20 ~~authority and provide a biennial report on the compilation to the Interim Retirement~~
21 ~~and Benefits Committee of the Legislature.~~

22 ~~— 7. A designating authority shall not designate a position pursuant to~~
23 ~~subsection 4 as a position for which there is a critical labor shortage for a period~~
24 ~~longer than 2 years. To be redesignated as such a position, the designating authority~~
25 ~~must consider and make new findings in an open public meeting as to whether the~~
26 ~~position continues to meet the criteria set forth in subsection 5.~~

27 ~~— 8. In addition to any position designated as a position for which there is a~~
28 ~~critical labor shortage pursuant to subsection 4, the Governor may designate a~~
29 ~~position in any school district or charter school in this State as a position for~~
30 ~~which there is a critical labor shortage. If the Governor makes such a~~
31 ~~designation, he or she shall notify the System of each position so designated. A~~
32 ~~designation pursuant to this subsection remains in effect until revoked by the~~
33 ~~Governor.] (Deleted by amendment.)~~

34 **Sec. 80.** [NRS 363A.130 is hereby amended to read as follows:

35 ~~— 363A.130 1. Except as otherwise provided in NRS 360.203, there is hereby~~
36 ~~imposed an excise tax on each employer at the rate of 2 percent of the wages, as~~
37 ~~defined in NRS 612.190, paid by the employer during a calendar quarter with~~
38 ~~respect to employment in connection with the business activities of the employer.~~

39 ~~— 2. The tax imposed by this section:~~

40 ~~— (a) Does not apply to any person or other entity or any wages this State is~~
41 ~~prohibited from taxing under the Constitution, laws or treaties of the United States~~
42 ~~or the Nevada Constitution.~~

43 ~~— (b) Must not be deducted, in whole or in part, from any wages of persons in the~~
44 ~~employment of the employer.~~

45 ~~— 3. Each employer shall, on or before the last day of the month immediately~~
46 ~~following each calendar quarter for which the employer is required to pay a~~
47 ~~contribution pursuant to NRS 612.535:~~

48 ~~— (a) File with the Department a return on a form prescribed by the Department;~~
49 ~~and~~

50 ~~— (b) Remit to the Department any tax due pursuant to this section for that~~
51 ~~calendar quarter.~~

52 ~~— 4. In determining the amount of the tax due pursuant to this section, an~~
53 ~~employer is entitled to subtract from the amount calculated pursuant to subsection 1~~

~~a credit in an amount equal to 50 percent of the amount of the commerce tax paid by the employer pursuant to chapter 363C of NRS for the preceding taxable year. The credit may only be used for any of the 4 calendar quarters immediately following the end of the taxable year for which the commerce tax was paid. The amount of credit used for a calendar quarter may not exceed the amount calculated pursuant to subsection 1 for that calendar quarter. Any unused credit may not be carried forward beyond the fourth calendar quarter immediately following the end of the taxable year for which the commerce tax was paid, and a taxpayer is not entitled to a refund of any unused credit.~~

~~5. An employer who makes a donation of money to a scholarship organization during the calendar quarter for which a return is filed pursuant to this section is entitled, in accordance with NRS 363A.139, to a credit equal to the amount authorized pursuant to NRS 363A.139 against any tax otherwise due pursuant to this section. As used in this subsection, "scholarship organization" has the meaning ascribed to it in [NRS 388D.260.] *section 44 of this act.* **(Deleted by amendment.)**~~

Sec. 81. ~~NRS 363A.139 is hereby amended to read as follows:~~

~~363A.139 1. Any taxpayer who is required to pay a tax pursuant to NRS 363A.130 may receive a credit against the tax otherwise due for any donation of money made by the taxpayer to a scholarship organization in the manner provided by this section.~~

~~2. To receive the credit authorized by subsection 1, a taxpayer who intends to make a donation of money to a scholarship organization must, before making such a donation, notify the scholarship organization of the taxpayer's intent to make the donation and to seek the credit authorized by subsection 1. A scholarship organization shall, before accepting any such donation, apply to the Department of Taxation for approval of the credit authorized by subsection 1 for the donation. The Department of Taxation shall, within 20 days after receiving the application, approve or deny the application and provide to the scholarship organization notice of the decision and, if the application is approved, the amount of the credit authorized. Upon receipt of notice that the application has been approved, the scholarship organization shall provide notice of the approval to the taxpayer who must, not later than 30 days after receiving the notice, make the donation of money to the scholarship organization. If the taxpayer does not make the donation of money to the scholarship organization within 30 days after receiving the notice, the scholarship organization shall provide notice of the failure to the Department of Taxation and the taxpayer forfeits any claim to the credit authorized by subsection 1.~~

~~3. The Department of Taxation shall approve or deny applications for the credit authorized by subsection 1 in the order in which the applications are received.~~

~~4. Except as otherwise provided in subsection 5, the Department of Taxation may, for each fiscal year, approve applications for the credit authorized by subsection 1 until the total amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection, [and] subsection 4 of NRS 363B.119, *subsection 4 of section 84 of this act and subsection 4 of section 87 of this act* is [\$6,655,000.];~~

~~(a) For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent of all money deposited for credit to the State Education Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.~~

~~(b) For Fiscal Years 2025-2026 and 2026-2027, 1 percent of all money deposited for credit to the State Education Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.~~

~~1 — (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of all money
2 deposited for credit to the State Education Fund in the fiscal year pursuant to
3 subsection 2 of NRS 387.1212.~~

~~4 — (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of all money
5 deposited for credit to the State Education Fund in the fiscal year pursuant to
6 subsection 2 of NRS 387.1212.~~

~~7 — (e) For Fiscal Year 2031-2032 and each fiscal year thereafter, 5 percent of
8 all money deposited for credit to the State Education Fund in the fiscal year
9 pursuant to subsection 2 of NRS 387.1212.~~

~~10 — The amount of any credit which is forfeited pursuant to subsection 2 must not be
11 considered in calculating the amount of credits authorized for any fiscal year.~~

~~12 — 5. [Except as otherwise provided in this subsection, in addition to the amount
13 of credits authorized by subsection 4 for Fiscal Years 2019-2020, 2020-2021 and
14 2021-2022, the Department of Taxation may approve applications for the credit
15 authorized by subsection 1 for each of those fiscal years until the total amount of
16 the credits authorized by subsection 1 and approved by the Department of Taxation
17 pursuant to this subsection and subsection 5 of NRS 363B.119 is \$4,745,000. The
18 provisions of subsection 4 do not apply to the amount of credits authorized by this
19 subsection and the amount of credits authorized by this subsection must not be
20 considered when determining the amount of credits authorized for a fiscal year
21 pursuant to subsection 4.] If, in [Fiscal Year 2019-2020, 2020-2021 or 2021-2022,]
22 any fiscal year, the amount of credits authorized by subsection 1 and approved
23 pursuant to [this] subsection [and] 4, subsection [5] 4 of NRS 363B.119,
24 subsection 4 of section 84 of this act and subsection 4 of section 87 of this act is
25 less than [\$4,745,000,] the amount of credits authorized for that fiscal year, the
26 remaining amount of credits pursuant to [this] subsection [and] 4, subsection [5] 4
27 of NRS 363B.119, subsection 4 of section 84 of this act and subsection 4 of
28 section 87 of this act must be carried forward and made available for approval
29 during subsequent fiscal years until the total amount of credits authorized by
30 subsection 1 and approved pursuant to [this] subsection [and] 4, subsection [5] 4 of
31 NRS 363B.119, subsection 4 of section 84 of this act and subsection 4 of section
32 87 of this act is equal to [\$4,235,000,] 5 percent of all money deposited for credit
33 to the State Education Fund in the fiscal year pursuant to subsection 2 of NRS
34 387.1212. The amount of any credit which is forfeited pursuant to subsection 2
35 must not be considered in calculating the amount of credits authorized pursuant to
36 this subsection.~~

~~37 — 6. If a taxpayer applies to and is approved by the Department of Taxation for
38 the credit authorized by subsection 1, the amount of the credit provided by this
39 section is equal to the amount approved by the Department of Taxation pursuant to
40 subsection 2, which must not exceed the amount of the donation made by the
41 taxpayer to a scholarship organization. The total amount of the credit applied
42 against the taxes described in subsection 1 and otherwise due from a taxpayer must
43 not exceed the amount of the donation.~~

~~44 — 7. If the amount of the tax described in subsection 1 and otherwise due from a
45 taxpayer is less than the credit to which the taxpayer is entitled pursuant to this
46 section, the taxpayer may, after applying the credit to the extent of the tax otherwise
47 due, carry the balance of the credit forward for not more than 5 years after the end
48 of the calendar year in which the donation is made or until the balance of the credit
49 is applied, whichever is earlier.~~

~~50 — 8. As used in this section, "scholarship organization" has the meaning
51 ascribed to it in [NRS 388D.260,] section 44 of this act, (Deleted by
52 amendment.)~~

1 **Sec. 82.** ~~[NRS 363B.110 is hereby amended to read as follows:~~

2 ~~363B.110 1. Except as otherwise provided in NRS 360.203, there is hereby~~
3 ~~imposed an excise tax on each employer at the rate of 1.475 percent of the amount~~
4 ~~by which the sum of all the wages, as defined in NRS 612.190, paid by the~~
5 ~~employer during a calendar quarter with respect to employment in connection with~~
6 ~~the business activities of the employer exceeds \$50,000.~~

7 ~~2. The tax imposed by this section:~~

8 ~~(a) Does not apply to any person or other entity or any wages this State is~~
9 ~~prohibited from taxing under the Constitution, laws or treaties of the United States~~
10 ~~or the Nevada Constitution.~~

11 ~~(b) Must not be deducted, in whole or in part, from any wages of persons in the~~
12 ~~employment of the employer.~~

13 ~~3. Each employer shall, on or before the last day of the month immediately~~
14 ~~following each calendar quarter for which the employer is required to pay a~~
15 ~~contribution pursuant to NRS 612.525.~~

16 ~~(a) File with the Department a return on a form prescribed by the Department;~~
17 ~~and~~

18 ~~(b) Remit to the Department any tax due pursuant to this chapter for that~~
19 ~~calendar quarter.~~

20 ~~4. In determining the amount of the tax due pursuant to this section, an~~
21 ~~employer is entitled to subtract from the amount calculated pursuant to subsection 1~~
22 ~~a credit in an amount equal to 50 percent of the amount of the commerce tax paid~~
23 ~~by the employer pursuant to chapter 363C of NRS for the preceding taxable year.~~
24 ~~The credit may only be used for any of the 4 calendar quarters immediately~~
25 ~~following the end of the taxable year for which the commerce tax was paid. The~~
26 ~~amount of credit used for a calendar quarter may not exceed the amount calculated~~
27 ~~pursuant to subsection 1 for that calendar quarter. Any unused credit may not be~~
28 ~~carried forward beyond the fourth calendar quarter immediately following the end~~
29 ~~of the taxable year for which the commerce tax was paid, and a taxpayer is not~~
30 ~~entitled to a refund of any unused credit.~~

31 ~~5. An employer who makes a donation of money to a scholarship organization~~
32 ~~during the calendar quarter for which a return is filed pursuant to this section is~~
33 ~~entitled, in accordance with NRS 363B.119, to a credit equal to the amount~~
34 ~~authorized pursuant to NRS 363B.119 against any tax otherwise due pursuant to~~
35 ~~this section. As used in this subsection, "scholarship organization" has the meaning~~
36 ~~ascribed to it in [NRS 388D.260.] *section 44 of this act.* **(Deleted by**~~
37 ~~**amendment.)**~~

38 **Sec. 83.** ~~[NRS 363B.119 is hereby amended to read as follows:~~

39 ~~363B.119 1. Any taxpayer who is required to pay a tax pursuant to NRS~~
40 ~~363B.110 may receive a credit against the tax otherwise due for any donation of~~
41 ~~money made by the taxpayer to a scholarship organization in the manner provided~~
42 ~~by this section.~~

43 ~~2. To receive the credit authorized by subsection 1, a taxpayer who intends to~~
44 ~~make a donation of money to a scholarship organization must, before making such~~
45 ~~a donation, notify the scholarship organization of the taxpayer's intent to make the~~
46 ~~donation and to seek the credit authorized by subsection 1. A scholarship~~
47 ~~organization shall, before accepting any such donation, apply to the Department of~~
48 ~~Taxation for approval of the credit authorized by subsection 1 for the donation. The~~
49 ~~Department of Taxation shall, within 20 days after receiving the application,~~
50 ~~approve or deny the application and provide to the scholarship organization notice~~
51 ~~of the decision and, if the application is approved, the amount of the credit~~
52 ~~authorized. Upon receipt of notice that the application has been approved, the~~
53 ~~scholarship organization shall provide notice of the approval to the taxpayer who~~

1 ~~must, not later than 30 days after receiving the notice, make the donation of money~~
2 ~~to the scholarship organization. If the taxpayer does not make the donation of~~
3 ~~money to the scholarship organization within 30 days after receiving the notice, the~~
4 ~~scholarship organization shall provide notice of the failure to the Department of~~
5 ~~Taxation and the taxpayer forfeits any claim to the credit authorized by subsection~~
6 ~~1.~~

7 ~~— 2. The Department of Taxation shall approve or deny applications for the~~
8 ~~credit authorized by subsection 1 in the order in which the applications are~~
9 ~~received.~~

10 ~~— 4. Except as otherwise provided in subsection 5, the Department of Taxation~~
11 ~~may, for each fiscal year, approve applications for the credit authorized by~~
12 ~~subsection 1 until the total amount of the credits authorized by subsection 1 and~~
13 ~~approved by the Department of Taxation pursuant to this subsection, [and]~~
14 ~~subsection 4 of NRS 363A.139, subsection 4 of section 84 of this act and~~
15 ~~subsection 4 of section 87 of this act is [\$6,655,000].~~

16 ~~— (a) For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent of all money~~
17 ~~deposited for credit to the State Education Fund in the fiscal year pursuant to~~
18 ~~subsection 2 of NRS 387.1212.~~

19 ~~— (b) For Fiscal Years 2025-2026 and 2026-2027, 1 percent of all money~~
20 ~~deposited for credit to the State Education Fund in the fiscal year pursuant to~~
21 ~~subsection 2 of NRS 387.1212.~~

22 ~~— (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of all money~~
23 ~~deposited for credit to the State Education Fund in the fiscal year pursuant to~~
24 ~~subsection 2 of NRS 387.1212.~~

25 ~~— (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of all money~~
26 ~~deposited for credit to the State Education Fund in the fiscal year pursuant to~~
27 ~~subsection 2 of NRS 387.1212.~~

28 ~~— (e) For Fiscal Year 2031-2032 and each fiscal year thereafter, 5 percent of~~
29 ~~all money deposited for credit to the State Education Fund in the fiscal year~~
30 ~~pursuant to subsection 2 of NRS 387.1212.~~

31 ~~— The amount of any credit which is forfeited pursuant to subsection 2 must not be~~
32 ~~considered in calculating the amount of credits authorized for any fiscal year.~~

33 ~~— 5. [In addition to the amount of credits authorized by subsection 4 for Fiscal~~
34 ~~Years 2019-2020, 2020-2021 and 2021-2022, the Department of Taxation may~~
35 ~~approve applications for the credit authorized by subsection 1 for each of those~~
36 ~~fiscal years until the total amount of the credits authorized by subsection 1 and~~
37 ~~approved by the Department of Taxation pursuant to this subsection and subsection~~
38 ~~5 of NRS 363A.139 is \$4,745,000. The provisions of subsection 4 do not apply to~~
39 ~~the amount of credits authorized by this subsection and the amount of credits~~
40 ~~authorized by this subsection must not be considered when determining the amount~~
41 ~~of credits authorized for a fiscal year pursuant to subsection 4.] If, in [Fiscal Year~~
42 ~~2019-2020, 2020-2021 or 2021-2022,] any fiscal year, the amount of credits~~
43 ~~authorized by subsection 1 and approved pursuant to [this] subsection [and] 4,~~
44 ~~subsection [5] 4 of NRS 363A.139, subsection 4 of section 84 of this act and~~
45 ~~subsection 4 of section 87 of this act is less than [\$4,745,000,] the amount of~~
46 ~~credits authorized for that fiscal year, the remaining amount of credits pursuant to~~
47 ~~[this] subsection [and] 4, subsection [5] 4 of NRS 363A.139, subsection 4 of~~
48 ~~section 84 of this act and subsection 4 of section 87 of this act must be carried~~
49 ~~forward and made available for approval during subsequent fiscal years until the~~
50 ~~total amount of credits authorized by subsection 1 and approved pursuant to [this]~~
51 ~~subsection 4, and subsection [5] 4 of NRS 363A.139, subsection 4 of section 84 of~~
52 ~~this act and subsection 4 of section 87 of this act is equal to [\$14,235,000.] 5~~
53 ~~percent of all money deposited for credit to the State Education Fund in the fiscal~~

~~year pursuant to subsection 2 of NRS 387.1212. The amount of any credit which is forfeited pursuant to subsection 2 must not be considered in calculating the amount of credits authorized pursuant to this subsection.~~

~~—6. If a taxpayer applies to and is approved by the Department of Taxation for the credit authorized by subsection 1, the amount of the credit provided by this section is equal to the amount approved by the Department of Taxation pursuant to subsection 2, which must not exceed the amount of the donation made by the taxpayer to a scholarship organization. The total amount of the credit applied against the taxes described in subsection 1 and otherwise due from a taxpayer must not exceed the amount of the donation.~~

~~—7. If the amount of the tax described in subsection 1 and otherwise due from a taxpayer is less than the credit to which the taxpayer is entitled pursuant to this section, the taxpayer may, after applying the credit to the extent of the tax otherwise due, carry the balance of the credit forward for not more than 5 years after the end of the calendar year in which the donation is made or until the balance of the credit is applied, whichever is earlier.~~

~~—8. As used in this section, "scholarship organization" has the meaning ascribed to it in [NRS 388D.260.] section 44 of this act. **(Deleted by amendment.)**~~

Sec. 84. ~~[Chapter 463 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~—1. Any taxpayer who is required to pay a tax pursuant to NRS 463.370 may receive a credit against the tax otherwise due for any donation of money made by the taxpayer to a scholarship organization in the manner provided by this section.~~

~~—2. To receive the credit authorized by subsection 1, a taxpayer who intends to make a donation of money to a scholarship organization must, before making such a donation, notify the scholarship organization of the taxpayer's intent to make the donation and to seek the credit authorized by subsection 1. A scholarship organization shall, before accepting any such donation, apply to the Department of Taxation for approval of the credit authorized by subsection 1 for the donation. The Department of Taxation shall, within 20 days after receiving the application, approve or deny the application and provide to the scholarship organization notice of the decision and, if the application is approved, the amount of the credit authorized. Upon receipt of notice that the application has been approved, the scholarship organization shall provide notice of the approval to the taxpayer who must, not later than 30 days after receiving the notice, make the donation of money to the scholarship organization. If the taxpayer does not make the donation of money to the scholarship organization within 30 days after receiving the notice, the scholarship organization shall provide notice of the failure to the Department of Taxation and the taxpayer forfeits any claim to the credit authorized by subsection 1.~~

~~—3. The Department of Taxation shall approve or deny applications for the credit authorized by subsection 1 in the order in which the applications are received.~~

~~—4. The Department of Taxation may, for each fiscal year, approve applications for the credit authorized by subsection 1 until the amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection, subsection 4 of NRS 363A.130, subsection 4 of NRS 363B.119 and subsection 4 of section 87 of this act is:~~

~~(a) For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent of all money deposited for credit to the State Education Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.~~

~~1 — (b) For Fiscal Years 2025-2026 and 2026-2027, 1 percent of all money
2 deposited for credit to the State Education Fund in the fiscal year pursuant to
3 subsection 2 of NRS 387.1212.~~

~~4 — (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of all money
5 deposited for credit to the State Education Fund in the fiscal year pursuant to
6 subsection 2 of NRS 387.1212.~~

~~7 — (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of all money
8 deposited for credit to the State Education Fund in the fiscal year pursuant to
9 subsection 2 of NRS 387.1212.~~

~~10 — (e) For Fiscal Year 2031-2032 and each fiscal year thereafter, 5 percent of
11 all money deposited for credit to the State Education Fund in the fiscal year
12 pursuant to subsection 2 of NRS 387.1212.~~

~~13 — The amount of any credit which is forfeited pursuant to subsection 2 must not
14 be considered in calculating the amount of credits authorized for any fiscal year.~~

~~15 — 5. If, in any fiscal year, the amount of credits authorized by subsection 1
16 and approved pursuant to subsection 4, subsection 4 of NRS 363A.139,
17 subsection 4 of NRS 363B.119 and subsection 4 of section 87 of this act is less
18 than the amount of credits authorized for that fiscal year, the remaining amount
19 of credits pursuant to subsection 4, subsection 4 of NRS 363A.139, subsection 4
20 of NRS 363B.119 and subsection 4 of section 87 of this act must be carried
21 forward and made available for approval during subsequent fiscal years until the
22 total amount of credits authorized by subsection 1 and approved pursuant to
23 subsection 4, subsection 4 of NRS 363A.139, subsection 4 of NRS 363B.119 and
24 subsection 4 of section 87 of this act is equal to 5 percent of all money deposited
25 for credit to the State Education Fund in the fiscal year pursuant to subsection 2
26 of NRS 387.1212. The amount of any credit which is forfeited pursuant to
27 subsection 2 must not be considered in calculating the amount of credits
28 authorized pursuant to this subsection.~~

~~29 — 6. If a taxpayer applies to and is approved by the Department of Taxation
30 for the credit authorized by subsection 1, the amount of the credit provided by this
31 section is equal to the amount approved by the Department of Taxation pursuant
32 to subsection 2, which must not exceed the amount of the donation made by the
33 taxpayer to the scholarship organization. The total amount of the credit applied
34 against the taxes described in subsection 1 and otherwise due from a taxpayer
35 must not exceed the amount of the donation.~~

~~36 — 7. If the amount of the tax described in subsection 1 and otherwise due
37 from a taxpayer is less than the credit to which the taxpayer is entitled pursuant
38 to this section, the taxpayer may, after applying the credit to the extent of the tax
39 otherwise due, carry the balance of the credit forward for not more than 5 years
40 after the end of the calendar year in which the donation is made or until the
41 balance of the credit is applied, whichever is earlier.~~

~~42 — 8. As used in this section:~~

~~43 — (a) "Scholarship organization" has the meaning ascribed to it in section 44
44 of this act.~~

~~45 — (b) "Taxpayer" means any person liable for a tax imposed by NRS 463.370.†
46 (Deleted by amendment.)~~

Sec. 85. [NRS 679A.160 is hereby amended to read as follows:

~~48 — 679A.160 Except as otherwise provided by specific statute, no provision of
49 this Code applies to:~~

~~50 — 1. Fraternal benefit societies, as identified in chapter 695A of NRS, except as
51 stated in chapter 695A of NRS.~~

~~52 — 2. Hospital, medical or dental service corporations, as identified in chapter
53 695B of NRS, except as stated in chapter 695B of NRS.~~

~~3. Motor clubs, as identified in chapter 696A of NRS, except as stated in chapter 696A of NRS.~~

~~4. Bail agents, as identified in chapter 697 of NRS, except as stated in NRS 680B.025 to 680B.039, inclusive, and sections 87 and 88 of this act and chapter 697 of NRS.~~

~~5. Risk retention groups, as identified in chapter 695E of NRS, except as stated in chapter 695E of NRS.~~

~~6. Captive insurers, as identified in chapter 694C of NRS, with respect to their activities as captive insurers, except as stated in chapter 694C of NRS.~~

~~7. Health and welfare plans arising out of collective bargaining under chapter 288 of NRS, except that the Commissioner may review the plan to ensure that the benefits are reasonable in relation to the premiums and that the fund is financially sound.~~

~~8. Programs established pursuant to subsection 1 of NRS 315.725 and the entities administering those programs, except as stated in NRS 315.725. (Deleted by amendment.)~~

Sec. 86. ~~[Chapter 680B of NRS is hereby amended by adding thereto the provisions set forth as sections 87 and 88 of this act.] (Deleted by amendment.)~~

Sec. 87. ~~[1. Any taxpayer who is required to pay a tax pursuant to NRS 680B.027 may receive a credit against the tax otherwise due for any donation of money made by the taxpayer to a scholarship organization in the manner provided by this section.~~

~~2. To receive the credit authorized by subsection 1, a taxpayer who intends to make a donation of money to a scholarship organization must, before making such a donation, notify the scholarship organization of the taxpayer's intent to make the donation and to seek the credit authorized by subsection 1. A scholarship organization shall, before accepting any such donation, apply to the Department of Taxation for approval of the credit authorized by subsection 1 for the donation. The Department of Taxation shall, within 20 days after receiving the application, approve or deny the application and provide to the scholarship organization notice of the decision and, if the application is approved, the amount of the credit authorized. Upon receipt of notice that the application has been approved, the scholarship organization shall provide notice of the approval to the taxpayer who must, not later than 30 days after receiving the notice, make the donation of money to the scholarship organization. If the taxpayer does not make the donation of money to the scholarship organization within 30 days after receiving the notice, the scholarship organization shall provide notice of the failure to the Department of Taxation and the taxpayer forfeits any claim to the credit authorized by subsection 1.~~

~~3. The Department of Taxation shall approve or deny applications for the credit authorized by subsection 1 in the order in which the applications are received.~~

~~4. The Department of Taxation may, for each fiscal year, approve applications for the credit authorized by subsection 1 until the amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection, subsection 4 of NRS 363A.130, subsection 4 of NRS 363B.119 and subsection 4 of section 84 of this act is:~~

~~(a) For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent of all money deposited for credit to the State Education Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.~~

~~(b) For Fiscal Years 2025-2026 and 2026-2027, 1 percent of all money deposited for credit to the State Education Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.~~

~~1 — (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of all money
2 deposited for credit to the State Education Fund in the fiscal year pursuant to
3 subsection 2 of NRS 387.1212.~~

~~4 — (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of all money
5 deposited for credit to the State Education Fund in the fiscal year pursuant to
6 subsection 2 of NRS 387.1212.~~

~~7 — (e) For Fiscal Year 2031-2032 and each fiscal year thereafter, 5 percent of
8 all money deposited for credit to the State Education Fund in the fiscal year
9 pursuant to subsection 2 of NRS 387.1212.~~

~~10 → The amount of any credit which is forfeited pursuant to subsection 2 must not
11 be considered in calculating the amount of credits authorized for any fiscal year.~~

~~12 — 5. If, in any fiscal year, the amount of credits authorized by subsection 1
13 and approved pursuant to subsection 4, subsection 4 of NRS 363A.139,
14 subsection 4 of NRS 363B.119 and subsection 4 of section 84 of this act is less
15 than the amount of credits authorized for that fiscal year, the remaining amount
16 of credits pursuant to subsection 4, subsection 4 of NRS 363A.139, subsection 4
17 of NRS 363B.119 and subsection 4 of section 84 of this act must be carried
18 forward and made available for approval during subsequent fiscal years until the
19 total amount of credits authorized by subsection 1 and approved pursuant to
20 subsection 4, subsection 4 of NRS 363A.139, subsection 4 of NRS 363B.119 and
21 subsection 4 of section 84 of this act is equal to 5 percent of all money deposited
22 for credit to the State Education Fund in the fiscal year pursuant to subsection 2
23 of NRS 387.1212. The amount of any credit which is forfeited pursuant to
24 subsection 2 must not be considered in calculating the amount of credits
25 authorized pursuant to this subsection.~~

~~26 — 6. If a taxpayer applies to and is approved by the Department of Taxation
27 for the credit authorized by subsection 1, the amount of the credit provided by this
28 section is equal to the amount approved by the Department of Taxation pursuant
29 to subsection 2, which must not exceed the amount of the donation made by the
30 taxpayer to the scholarship organization. The total amount of the credit applied
31 against the taxes described in subsection 1 and otherwise due from a taxpayer
32 must not exceed the amount of the donation.~~

~~33 — 7. If the amount of the tax described in subsection 1 and otherwise due
34 from a taxpayer is less than the credit to which the taxpayer is entitled pursuant
35 to this section, the taxpayer may, after applying the credit to the extent of the tax
36 otherwise due, carry the balance of the credit forward for not more than 5 years
37 after the end of the calendar year in which the donation is made or until the
38 balance of the credit is applied, whichever is earlier.~~

~~39 — 8. As used in this section:~~

~~40 — (a) “Scholarship organization” has the meaning ascribed to it in section 44
41 of this act.~~

~~42 — (b) “Taxpayer” means any person liable for a tax imposed by this chapter.]~~

~~43 (Deleted by amendment.)~~

~~44 Sec. 88. [1. An insurer who makes a donation of money to a scholarship
45 organization during the calendar quarter for which a report is filed pursuant to
46 NRS 680B.032 or during a calendar year in which a report is filed pursuant to
47 NRS 680B.030 is entitled, in accordance with section 87 of this act, to a credit
48 equal to the amount authorized pursuant to section 87 of this act against any tax
49 otherwise due pursuant to NRS 680B.027.~~

~~50 — 2. As used in this section, “scholarship organization” has the meaning
51 ascribed to it in section 44 of this act.] (Deleted by amendment.)~~

1 **Sec. 89.** ~~[NRS 680B.025 is hereby amended to read as follows:~~

2 ~~680B.025 For the purposes of NRS 680B.025 to 680B.039, inclusive [;], and~~
 3 ~~sections 87 and 88 of this act.~~

4 ~~1. "Total income derived from direct premiums written":~~

5 ~~(a) Does not include premiums written or considerations received from life~~
 6 ~~insurance policies or annuity contracts issued in connection with the funding of a~~
 7 ~~pension, annuity or profit-sharing plan qualified or exempt pursuant to sections~~
 8 ~~401, 403, 404, 408, 457 or 501 of the United States Internal Revenue Code as~~
 9 ~~renumbered from time to time.~~

10 ~~(b) Does not include payments received by an insurer from the Secretary of~~
 11 ~~Health and Human Services pursuant to a contract entered into pursuant to section~~
 12 ~~1876 of the Social Security Act, 42 U.S.C. § 1395mm.~~

13 ~~(c) As to title insurance, consists of the total amount charged by the company~~
 14 ~~for the sale of policies of title insurance.~~

15 ~~2. Money accepted by a life insurer pursuant to an agreement which provides~~
 16 ~~for an accumulation of money to purchase annuities at future dates may be~~
 17 ~~considered as "total income derived from direct premiums written" either upon~~
 18 ~~receipt or upon the actual application of the money to the purchase of annuities, but~~
 19 ~~any interest credited to money accumulated while under the latter alternative must~~
 20 ~~also be included in "total income derived from direct premiums written," and any~~
 21 ~~money taxed upon receipt, including any interest later credited thereto, is not~~
 22 ~~subject to taxation upon the purchase of annuities. Each life insurer shall signify on~~
 23 ~~its return covering premiums for the calendar year 1971 or for the first calendar~~
 24 ~~year it transacts business in this State, whichever is later, its election between those~~
 25 ~~two alternatives. Thereafter an insurer shall not change his or her election without~~
 26 ~~the consent of the Commissioner. Any such money taxed as "total income derived~~
 27 ~~from direct premiums written" is, in the event of withdrawal of the money before~~
 28 ~~its actual application to the purchase of annuities, eligible to be included as "return~~
 29 ~~premiums" pursuant to the provisions of NRS 680B.030.] (Deleted by~~
 30 ~~amendment.)~~

31 **Sec. 90.** ~~[NRS 680B.0395 is hereby amended to read as follows:~~

32 ~~680B.0395 An insurer who holds a certificate of authority as a reinsurer is~~
 33 ~~exempt from the requirements of NRS 680B.025 to 680B.039, inclusive [;], and~~
 34 ~~sections 87 and 88 of this act.] (Deleted by amendment.)~~

35 **Sec. 91.** ~~[NRS 695B.320 is hereby amended to read as follows:~~

36 ~~695B.320 1. Nonprofit hospital and medical or dental service corporations~~
 37 ~~are subject to the provisions of this chapter, and to the provisions of chapters 679A~~
 38 ~~and 679B of NRS, subsections 2, 4, 18, 19 and 31 of NRS 680B.010, NRS~~
 39 ~~680B.025 to 680B.060, inclusive, and sections 87 and 88 of this act, chapter 681B~~
 40 ~~of NRS, NRS 686A.010 to 686A.315, inclusive, 686B.010 to 686B.175, inclusive,~~
 41 ~~687B.010 to 687B.040, inclusive, 687B.070 to 687B.140, inclusive, 687B.150,~~
 42 ~~687B.160, 687B.180, 687B.200 to 687B.255, inclusive, 687B.270, 687B.310 to~~
 43 ~~687B.380, inclusive, 687B.410, 687B.420, 687B.430, 687B.500 and chapters 692B,~~
 44 ~~692C, 693A and 696B of NRS, to the extent applicable and not in conflict with the~~
 45 ~~express provisions of this chapter.~~

46 ~~2. For the purposes of this section and the provisions set forth in subsection 1,~~
 47 ~~a nonprofit hospital and medical or dental service corporation is included in the~~
 48 ~~meaning of the term "insurer."] (Deleted by amendment.)~~

49 **Sec. 92.** ~~[NRS 695F.090 is hereby amended to read as follows:~~

50 ~~695F.090 1. Prepaid limited health service organizations are subject to the~~
 51 ~~provisions of this chapter and to the following provisions, to the extent reasonably~~
 52 ~~applicable:~~

- ~~1 (a) NRS 686B.010 to 686B.175, inclusive, concerning rates and essential~~
- ~~2 insurance.~~
- ~~3 (b) NRS 687B.310 to 687B.420, inclusive, concerning cancellation and~~
- ~~4 nonrenewal of policies.~~
- ~~5 (c) NRS 687B.122 to 687B.128, inclusive, concerning readability of policies.~~
- ~~6 (d) The requirements of NRS 679B.152.~~
- ~~7 (e) The fees imposed pursuant to NRS 449.465.~~
- ~~8 (f) NRS 686A.010 to 686A.310, inclusive, concerning trade practices and~~
- ~~9 frauds.~~
- ~~10 (g) The assessment imposed pursuant to NRS 679B.700.~~
- ~~11 (h) Chapter 682A of NRS.~~
- ~~12 (i) To the extent applicable, the provisions of NRS 689B.340 to 689B.580,~~
- ~~13 inclusive, and chapter 689C of NRS relating to the portability and availability of~~
- ~~14 health insurance.~~
- ~~15 (j) NRS 689A.025, 689A.0462, 689A.410, 689A.413 and 689A.415.~~
- ~~16 (k) NRS 680B.025 to 680B.060, inclusive, and sections 87 and 88 of this act~~
- ~~17 concerning premium tax, premium tax rate, annual report and estimated quarterly~~
- ~~18 tax payments. For the purposes of this paragraph, unless the context otherwise~~
- ~~19 requires that a section apply only to insurers, any reference in those sections to~~
- ~~20 "insurer" must be replaced by a reference to "prepaid limited health service~~
- ~~21 organization."~~
- ~~22 (l) Chapter 692C of NRS, concerning holding companies.~~
- ~~23 (m) NRS 689A.637, concerning health centers.~~
- ~~24 (n) Chapter 681B of NRS, concerning assets and liabilities.~~
- ~~25 (o) NRS 682A.400 to 682A.468, inclusive, concerning investments.~~
- ~~26 2. For the purposes of this section and the provisions set forth in subsection 1,~~
- ~~27 a prepaid limited health service organization is included in the meaning of the term~~
- ~~28 "insurer." (Deleted by amendment.)~~

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

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

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

<u>For the Fiscal Year 2023-2024</u>	<u>\$70,000,000</u>
<u>For the Fiscal Year 2024-2025</u>	<u>\$70,000,000</u>

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was

subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.

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

For the Fiscal Year 2023-2024 \$2,000,000

For the Fiscal Year 2024-2025 \$2,000,000

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

~~Sec. 94. [Notwithstanding the provisions of subsection 3 of NRS 387.1213, as amended by section 15 of this act, if the balance in the Education Stabilization Account created by NRS 387.1213 at the end of Fiscal Year 2024-2025 exceeds 15 percent of the total of all appropriations and authorizations from the State Education Fund, excluding the Education Stabilization Account, for the immediately preceding fiscal year, the money in excess of such amount must be transferred as follows:~~

~~— 1. Fifty percent to the State Teacher Pipeline Account created by section 54 of this act; and~~

~~— 2. Fifty percent to the Early Childhood Literacy and Readiness Account created by section 12 of this act.] (Deleted by amendment.)~~

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

~~Sec. 96. [The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.] (Deleted by amendment.)~~

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

2. Sections 1 to ~~[4.]~~ **5**, inclusive, 7, 8, 10 to 24, inclusive, 26 to 39, inclusive, 41 to 70, inclusive, 73, 75 and 79 to 94, inclusive, of this act become effective:

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

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

3. Sections ~~[5.]~~ **5.5**, 6, 9, 25, 40, **70.5**, 71, 72, 74, 76, 77 and 78 of this act become effective:

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

(b) On July 1, ~~[2024.]~~ **2028**, for all other purposes.