

Amendment No. 733

Senate Amendment to Assembly Bill No. 65 First Reprint	(BDR 34-275)
Proposed by: Senator D. Harris	
Amendment Box: Replaces Amendment No. 725.	
Consistent with Amendment No. 732.	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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.

AAK



Date: 5/24/2023

A.B. No. 65—Revises provisions relating to education. (BDR 34-275)



ASSEMBLY BILL NO. 65—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

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

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

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

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

Legislative Counsel’s Digest:

1 The Open Meeting Law requires that a public body such as the board of trustees of
2 a school district give notice of its meetings by: (1) posting an agenda consisting of a list
3 describing the items on which action may be taken by the public body; and (2) clearly
4 denoting that action may be taken on those items by placing the term “for possible
5 action” next to the appropriate item or, under certain circumstances, by placing the
6 term “for possible corrective action” next to the appropriate item. (NRS 241.015,
7 241.020) Existing law sets forth certain requirements and procedures for meetings of the
8 board of trustees of a school district, including, without limitation: (1) a requirement
9 that the board of trustees hold a regular meeting at least once each month; and (2) the
10 authority for the president of the board of trustees to call special meetings under certain
11 circumstances. (NRS 386.330) Section 1.5 of this bill prohibits, except in an emergency
12 that impacts the school district, the board of trustees of a school district from taking any
13 action or corrective action at a regular meeting or special meeting on an item that has
14 been posted on its agenda pursuant to the Open Meeting Law after 11:59 p.m. on the
15 day of the meeting. Section 1.5 further provides that if the board of trustees has not
16 taken action or corrective action, as applicable, on any item that is on its agenda before
17 11:59 p.m. on the day of the meeting, the board of trustees must not take any further
18 action or corrective action on any item that is on the meeting agenda unless the board of
19 trustees: (1) schedules the delayed agenda item at a future meeting; or (2) waits at least
20 24 hours after the originally scheduled time of the meeting but not later than 3 business
21 days after the originally scheduled date of the meeting to take action or corrective
22 action.

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

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

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

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

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

Existing law, in general, requires a child between 7 and 18 years of age to attend public school. (NRS 392.040) **Section 12.5** of this bill revises this provision to require each child to begin attending public school once the child is 6 years of age, rather than 7 years of age. **Section 15.5** of this bill requires a child who is 6 years of age or older on or before August 1, 2024, and enrolls in public school for the first time to be admitted to kindergarten or first grade.

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

Section 1. (Deleted by amendment.)

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

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

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

1 3. The clerk of the board of trustees shall give written notice of each special
2 meeting to each member of the board of trustees by personal delivery of the notice
3 of the special meeting to each trustee at least 1 day before the meeting, or by
4 mailing the notice to each trustee's residence of record, by deposit in the United
5 States mails, postage prepaid, at least 4 days before the meeting. The notice shall
6 specify the time, place and purpose of the meeting. If all of the members of the
7 board of trustees are present at a special meeting, the lack of notice shall not
8 invalidate the proceedings of the board of trustees.

9 4. A majority of the members of the board of trustees shall constitute a
10 quorum for the transaction of business, and no action of the board of trustees shall
11 be valid unless such action shall receive, at a regularly called meeting, the approval
12 of a majority of all the members of the board of trustees.

13 5. In any county whose population is 55,000 or more, the board of trustees
14 may cause each meeting of the board to be broadcast on a television station created
15 to provide community access to cable television by using the facilities of the school
16 district, county or any city located in the county. The board of trustees and the
17 county or city shall cooperate fully with each other to determine:

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

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

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

23 6. Except in an emergency that impacts the school district, the board of
24 trustees shall not take any action or corrective action at a regular meeting or
25 special meeting on an item that has been posted on its agenda pursuant to
26 chapter 241 of NRS after 11:59 p.m. on the day of the meeting. If the board of
27 trustees has not taken action or corrective action, as applicable, on any item that
28 is on its agenda before 11:59 p.m. on the day of the meeting, the board of trustees
29 must not take any further action or corrective action on any item that is on the
30 meeting agenda unless the board of trustees:

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

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

36 7. As used in this section, "emergency" has the meaning ascribed to it in
37 NRS 241.020.

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

39 388.122 1. "Bullying" means written, verbal or electronic expressions or
40 physical acts or gestures, or any combination thereof, that are directed at a person
41 or group of persons, or a single severe and willful act or expression that is directed
42 at a person or group of persons, and:

43 (a) Have the effect of:

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

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

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

48 (1) Creating an intimidating or hostile educational environment for the
49 person; or

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

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

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

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

8 2. The term includes, without limitation:

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

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

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

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

21 (e) Blackmail, extortion or demands for protection money or involuntary loans
22 or donations;

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

24 (g) Stalking; and

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

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

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

30 388.1323 1. The Office for a Safe and Respectful Learning Environment is
31 hereby created within the Department.

32 2. The Superintendent of Public Instruction shall appoint a Director of the
33 Office, who shall serve at the pleasure of the Superintendent.

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

35 (a) Maintains a 24-hour, toll-free statewide hotline and Internet website by
36 which any person can report a violation of the provisions of NRS 388.121 to
37 388.1395, inclusive, and obtain information about antidiscrimination and anti-
38 bullying efforts and organizations; and

39 (b) Provides outreach and antidiscrimination and anti-bullying education and
40 training for pupils, parents and guardians, teachers, administrators, coaches and
41 other staff members and the members of a governing body. The outreach and
42 training must include, without limitation:

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

45 (2) Training regarding effective intervention and remediation strategies
46 regarding discrimination based on race, bullying and cyber-bullying;

47 (3) Training regarding methods for reporting violations of NRS 388.135;
48 and

49 (4) Information on and referral to available resources regarding suicide
50 prevention and the relationship between discrimination based on race, bullying or
51 cyber-bullying and suicide, including, without limitation, resources for pupils who
52 are members of groups at a high risk of suicide. Such groups include, without
53 limitation, the groups described in subsection 3 of NRS 388.256.

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

5 5. ~~[The]~~ *Except as otherwise provided in this subsection, the* Director of the
6 Office or his or her designee shall investigate any complaint that a teacher,
7 administrator, coach or other staff member or member of a governing body has
8 violated a provision of NRS 388.121 to 388.1395, inclusive. If a complaint alleges
9 criminal conduct or an investigation leads the Director of the Office or his or her
10 designee to suspect criminal conduct, the Director of the Office may request
11 assistance from the Investigation Division of the Department of Public Safety. *The*
12 *Director of the Office or his or her designee is not required to investigate a*
13 *complaint pursuant to this subsection if the complaint is made through the*
14 *SafeVoice Program established pursuant to NRS 388.1455 and investigated by*
15 *the team appointed pursuant to paragraph (a) of subsection 1 of NRS 388.14553,*
16 *unless the complaint alleges that a previous investigation conducted by the team*
17 *appointed pursuant to paragraph (a) of subsection 1 of NRS 388.14553 regarding*
18 *the same matter failed to resolve the issue or was otherwise deficient.*

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

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

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

22 388.1351 1. Except as otherwise provided in NRS 388.13535, a teacher,
23 administrator, coach or other staff member who witnesses a violation of NRS
24 388.135 or receives information that a violation of NRS 388.135 has occurred shall
25 report the violation to the administrator or his or her designee as soon as
26 practicable, but not later than a time during the same day on which the teacher,
27 administrator, coach or other staff member witnessed the violation or received
28 information regarding the occurrence of a violation.

29 2. Except as otherwise provided in this subsection, upon receiving a report
30 required by subsection 1, the administrator or designee shall immediately take any
31 necessary action to stop the discrimination based on race, bullying or cyber-
32 bullying and ensure the safety and well-being of the reported victim or victims of
33 the discrimination based on race, bullying or cyber-bullying and shall begin an
34 investigation into the report. If the administrator or designee does not have access
35 to the reported victim of the alleged violation of NRS 388.135, the administrator or
36 designee may wait until the next school day when he or she has such access to take
37 the action required by this subsection.

38 3. The investigation conducted pursuant to subsection 2 must include, without
39 limitation:

40 (a) Except as otherwise provided in subsection 4, notification provided by
41 telephone, electronic mail or other electronic means or provided in person, of the
42 parents or guardians of all pupils directly involved in the reported discrimination
43 based on race, bullying or cyber-bullying, as applicable, either as a reported
44 aggressor or a reported victim of the discrimination based on race, bullying or
45 cyber-bullying. The notification must be provided:

46 (1) If the discrimination based on race, bullying or cyber-bullying is
47 reported before the end of school hours on a school day, before the school's
48 administrative office closes on the day on which the discrimination based on race,
49 bullying or cyber-bullying is reported; or

50 (2) If the discrimination based on race, bullying or cyber-bullying was
51 reported on a day that is not a school day, or after school hours on a school day,
52 before the school's administrative office closes on the school day following the day
53 on which the discrimination based on race, bullying or cyber-bullying is reported.

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

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

7 5. Except as otherwise provided in this subsection, an investigation required
8 by this section must be completed ~~[not later than 2]~~, *to the greatest extent*
9 *practicable, within 5* school days after the administrator or designee receives a
10 report required by subsection 1. If extenuating circumstances prevent the
11 administrator or designee from completing the investigation required by this section
12 within ~~[2]~~ *5* school days after making a good faith effort, ~~[1]~~ *2* additional school
13 ~~[day] days~~ may be used to complete the investigation. ~~[The time for completing an~~
14 ~~investigation into a report of cyber bullying may also be extended to not more than~~
15 ~~5 school days after the report is received with the consent of each reported victim of~~
16 ~~the cyber bullying or, if a reported victim is under 18 years of age and is not~~
17 ~~emancipated, the parent or guardian of the reported victim.]~~

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

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

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

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

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

43 9. To the extent that information is available, the administrator or ~~[his or her]~~
44 designee shall provide a list of any resources that may be available in the
45 community to assist a pupil to each parent or guardian of a pupil to whom notice
46 was provided pursuant to this section as soon as practicable. Such a list may
47 include, without limitation, resources available at no charge or at a reduced cost and
48 may be provided in person or by electronic or regular mail. If such a list is
49 provided, the administrator ~~[, his]~~ or ~~[her]~~ designee, or any employee of the school
50 or the school district is not responsible for providing such resources to the pupil or
51 ensuring the pupil receives such resources.

52 10. The parent or guardian of a pupil involved in the reported violation of
53 NRS 388.135 may appeal a disciplinary decision of the administrator or ~~[his or her]~~

1 designee, made against the pupil as a result of the violation, in accordance with the
2 policy governing disciplinary action adopted by the governing body. Not later than
3 30 days after receiving a response provided in accordance with such a policy, the
4 parent or guardian may submit a complaint to the Department. The Department
5 shall consider and respond to the complaint pursuant to procedures and standards
6 prescribed in regulations adopted by the Department.

7 11. If a violation of NRS 388.135 is found to have occurred, the parent or
8 guardian of a pupil who is a victim of discrimination based on race, bullying or
9 cyber-bullying may request that the board of trustees of the school district in which
10 the pupil is enrolled to assign the pupil to a different school in the school district.
11 Upon receiving such a request, the board of trustees shall, in consultation with the
12 parent or guardian of the pupil, assign the pupil to a different school.

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

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

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

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

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

21 13. ~~[A direct supervisor who receives a monthly report pursuant to subsection~~
22 ~~12 shall, each calendar quarter, submit a report to the Office for a Safe and~~
23 ~~Respectful Learning Environment that includes, for the schools for which the direct~~
24 ~~supervisor has received a monthly report in the calendar quarter and categorized by~~
25 ~~types of incidents and the demographics identified in subsection 1 of NRS~~
26 ~~388.1235, the:~~

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

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

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

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

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

41 ~~15.] School hours and school days are determined for the purposes of this~~
42 ~~section by the schedule established by the governing body for the school.~~

43 ~~16.] 14. The provisions of this section must not be construed to place any~~
44 ~~limit on the time within which an investigation concerning any alleged act that~~
45 ~~constitutes sexual assault must be completed.~~

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

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

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

49 389.167 1. A pupil enrolled at a public school must be allowed to apply one
50 or more credits toward the total number of credits required for graduation from high
51 school if the pupil successfully completes the number of hours in a work-based
52 learning program required by regulation of the State Board to earn such credits.
53 Any credits earned for successful completion of a work-based learning program

1 must be applied toward the pupil's elective course credits and not toward a course
2 that is required for graduation from high school.

3 2. The board of trustees of a school district or the governing body of a charter
4 school may offer a work-based learning program upon application to and with the
5 approval of the ~~{State Board}~~ *Superintendent of Public Instruction*. An
6 application to offer a work-based learning program must include, without
7 limitation:

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

10 (b) The qualifications of a pupil to participate in the work-based learning
11 program. Such qualifications must allow a majority of pupils to be eligible to
12 participate in the work-based learning program.

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (b) The types of work-based learning offered through the work-based learning
4 program.

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

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

11 (b) Gender of pupils;

12 (c) Pupils who are migrants; and

13 (d) Pupils who are members of special populations, as defined in 20 U.S.C. §
14 2302(48).

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

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

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

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

23 2. A child who is 5 years of age on or before ~~the first day of~~ *August 1 of the*
24 *school year, or if August 1 does not occur during the school year, on or before*
25 *August 1 preceding* ~~the~~ school year, may be admitted to kindergarten at the
26 beginning of that school year, and the child's enrollment must be counted for
27 purposes of apportionment. If a child is not 5 years of age on or before ~~the first~~
28 ~~day of~~ *August 1 of the school year, or if August 1 does not occur during a school*
29 *year, on or before August 1 preceding* ~~the~~ school year, the child must not be
30 admitted to kindergarten.

31 3. Except as otherwise provided in subsection 4, a child who is 6 years of age
32 on or before ~~the first day of~~ *August 1 of the school year, or if August 1 does not*
33 *occur during a school year, on or before August 1 preceding* ~~the~~ school year
34 must:

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

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

39 and the child's enrollment must be counted for purposes of apportionment. If a
40 child is not 6 years of age on or before ~~the first day of~~ *August 1 of the school*
41 *year, or if August 1 does not occur during a school year, on or before August 1*
42 *preceding* ~~the~~ school year, the child must not be admitted to the first grade until
43 the beginning of the school year following the child's sixth birthday.

44 4. The parents, custodial parent, guardian or other person within the State of
45 Nevada having control or charge of a child who is 6 years of age on or before ~~the~~
46 ~~first day of~~ *August 1 of the school year, or if August 1 does not occur during a*
47 *school year, on or before August 1 preceding* ~~the~~ school year may elect for the
48 child not to attend kindergarten or the first grade during that year. The parents,
49 custodial parent, guardian or other person who makes such an election shall file
50 with the board of trustees of the appropriate school district a waiver in a form
51 prescribed by the board.

52 5. Whenever a child who is 6 years of age is enrolled in a public school, each
53 parent, custodial parent, guardian or other person in the State of Nevada having

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

16 6. A child who is 7 years of age on or before ~~the first day of~~ *August 1 of the*
17 *school year, or if August 1 does not occur during a school year, on or before*
18 *August 1 preceding* ~~the~~ school year must:

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

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

22 (c) If the parents, custodial parent, guardian or other person in the State of
23 Nevada having control or charge of the child waived the child's attendance from
24 kindergarten pursuant to subsection 4, undergo an assessment by the district
25 pursuant to subsection 7 to determine whether the child is prepared
26 developmentally to be admitted to the first grade. If the district determines that the
27 child is prepared developmentally, the child must be admitted to the first grade. If
28 the district determines that the child is not so prepared, he or she must be admitted
29 to kindergarten.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 5. Whenever a child who is 6 years of age is enrolled in a public school, each
46 parent, custodial parent, guardian or other person in the State of Nevada having
47 control or charge of the child shall send the child to the public school during all the
48 time the school is in session. If the board of trustees of a school district has adopted
49 a policy prescribing a minimum number of days of attendance for pupils enrolled in
50 kindergarten or first grade pursuant to NRS 392.122, the school district shall
51 provide to each parent and legal guardian of a pupil who elects to enroll his or her
52 child in kindergarten or first grade a written document containing a copy of that
53 policy and a copy of the policy of the school district concerning the withdrawal of

1 pupils from kindergarten or first grade. Before the child's first day of attendance at
2 a school, the parent or legal guardian shall sign a statement on a form provided by
3 the school district acknowledging that he or she has read and understands the policy
4 concerning attendance and the policy concerning withdrawal of pupils from
5 kindergarten or first grade. The parent or legal guardian shall comply with the
6 applicable requirements for attendance. This requirement for attendance does not
7 apply to any child under the age of ~~[7]~~ 6 years who has not yet been enrolled or has
8 been formally withdrawn from enrollment in public school.

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

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

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

15 ~~—(c) If the parents, custodial parent, guardian or other person in the State of~~
16 ~~Nevada having control or charge of the child waived the child's attendance from~~
17 ~~kindergarten pursuant to subsection 4, undergo an assessment by the district~~
18 ~~pursuant to subsection 7 to determine whether the child is prepared~~
19 ~~developmentally to be admitted to the first grade. If the district determines that the~~
20 ~~child is prepared developmentally, the child must be admitted to the first grade. If~~
21 ~~the district determines that the child is not so prepared, he or she must be admitted~~
22 ~~to kindergarten.~~

23 ~~➤ The enrollment of any child pursuant to this subsection must be counted for~~
24 ~~apportionment purposes.~~

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

27 ~~—(a) Who is 7 years of age on or before August 1 of the school year, or if August~~
28 ~~1 does not occur during the school year, on or before August 1 preceding the school~~
29 ~~year; and~~

30 ~~—(b) Whose parents waived the child's attendance from kindergarten pursuant to~~
31 ~~subsection 4,~~

32 ~~➤ to determine whether the child is prepared developmentally to be admitted to the~~
33 ~~first grade. The results of the test must be made available to the parents, custodial~~
34 ~~parent, guardian or other person within the State of Nevada having control or~~
35 ~~charge of the child.~~

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

43 ~~[9.]~~ 7. Pursuant to the provisions of NRS 388F.010, a child who transfers to a
44 school in this State from a school outside this State because of the military transfer of
45 the parent or legal guardian of the child must be admitted to:

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

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

51 ~~[10.]~~ 8. As used in this section, "kindergarten" includes:

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

1 (b) A kindergarten established by the governing body of a charter school; and
2 (c) An authorized program of instruction for kindergarten offered in a child's
3 home pursuant to NRS 388.060.

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

5 392.160 1. Any peace officer, the attendance officer or any other school
6 officer shall, during school hours, take into custody without warrant:

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

8 (b) Any child who has arrived at the age of ~~6~~ 5 years but not at the age of ~~7~~
9 6 years and is enrolled in a public school,

10 ↪ who has been reported to the officer by the teacher, superintendent of schools or
11 other school officer as an absentee from instruction upon which the child is
12 lawfully required to attend.

13 2. Except as otherwise provided in subsection 3:

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

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

19 3. The board of trustees of a school district or the governing body of a charter
20 school may enter into an agreement with a counseling agency to permit delivery of
21 the child to the agency. For the purposes of this subsection, "counseling agency"
22 means an agency designated by the school district in which the child is enrolled to
23 provide counseling for the child and the parent, guardian or other person having
24 control or charge of the child.

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

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

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

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

29 422A.333 1. A recipient who has control or charge of a child who is not less
30 than ~~7~~ 6 years of age, but is less than 12 years of age, must comply with the
31 provisions of NRS 392.040 with respect to that child.

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

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

40 (a) The head of the household does not comply with the provisions of NRS
41 392.040 with respect to that child; or

42 (b) That child is at risk of failing to advance to the next grade level in school,
43 ↪ the Division shall require the head of the household to review with the Division
44 the personal responsibility plan signed by the head of household pursuant to NRS
45 422A.535 and revise the plan as necessary to assist the head of the household in
46 complying with the provisions of NRS 392.040 and helping the child to improve his
47 or her academic performance.

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

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

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

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

3 2. Sections 12.3, 12.5, 15.3 and 15.5 of this act become effective on July 1,
4 2024.