

**DRAFT REGULATIONS FOR PROPOSAL TO THE
STATE BOARD OF EDUCATION BY THE
ADVISORY COMMITTEE TO DEVELOP A PLAN
TO REORGANIZE THE CLARK COUNTY SCHOOL DISTRICT (AB 394)**

Section 1. Chapter 388G of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 24, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 9, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Board of Trustees” means the board of trustees of the Clark County School District.*

Sec. 4. *“Central Services” means the administrative staff of the School District which provide services to the schools in the School District.*

Sec. 5. *“Plan of operation” means a plan of operation for a local school precinct which is developed pursuant to section 17 of this regulation.*

Sec. 6. *“Local school precinct” means a school which is deemed to be a local school precinct pursuant to section 10 of this regulation.*

Sec. 7. *“School associate superintendent” means a person appointed by the superintendent to oversee the operation of designated local school precincts pursuant to section 15 of this regulation.*

Sec. 8. *“School District” means the Clark County School District.*

Sec. 9. *“Superintendent” means the superintendent of the Clark County School District.*

Sec. 10. *1. Each school within the School District, other than a charter school or university school for profoundly gifted pupils, shall be deemed a local school precinct.*

2. As a local school precinct, the school must be operated under site-based decision making which aligns schools with the central services to be provided by the School District.

Sec. 11. *1. Except as otherwise provided in subsections 2 and 3, the Superintendent shall transfer responsibilities to each local school precinct in accordance with the plan of operation for the local school precinct developed pursuant to section 17 of this regulation.*

2. The responsibilities that must be transferred to every local school precinct include, without limitation, the responsibility for:

(a) Selecting the staff for the school, including, without limitation, the selection of:

(1) Teachers;

(2) Administrators other than the principal; and

(3) Other staff.

(b) The purchase of equipment, services and supplies for the school;

(c) Developing a budget for the local school precinct for the use of the allocation of money to the local school precinct which includes the manner in which to expend any money not used for the purposes described in paragraphs (a) and (b); and

(d) Any other responsibility designated by the Superintendent.

3. The School District must remain responsible for negotiating the salaries, benefits and other conditions of employment of administrators, teachers and other staff.

4. On or before January 1 of each year, the Superintendent shall determine any additional responsibilities not listed in subsection 1 to be transferred to each local school precinct.

Sec. 12. 1. On or before January 1 of each year, the Superintendent shall establish and make public:

(a) The average unit cost for each type of employee employed by a local school precinct, including without limitation, a separate average unit cost for teachers and substitute teachers.

(b) A list of equipment, services and supplies that a local school precinct may obtain from the School District using the allocation to the local school precinct and the cost for such equipment, services and supplies. The cost must not exceed the actual cost to the School District to provide the equipment, services and supplies to the local school precincts.

2. A local school precinct is not required to purchase equipment, services and supplies from the School District.

3. Each local school precinct must be allowed to carry forward in its budget any unexpended amount from its allocation to the next school year. The School District must account for any such amount that is carried forward as a restricted fund balance.

Sec. 13. 1. On or before January 1 of each year, the Superintendent shall establish for the next school year:

(a) The percentage of the total per pupil funding to be received by the School District from all sources and the total of that amount that are unrestricted funds.

(b) The percentage of the amount determined pursuant to subsection 1 to be unrestricted funds that will be allocated to the local school precincts which must equal not less than 85 percent of the total unrestricted funds received by the School District from all sources.

(c) The anticipated amount of categorical funding to be received by the School District and whether such funding is restricted in a manner that prohibits the School District from including that categorical funding in the amount of per pupil funding allocated to the local school precincts.

(d) The total anticipated amount that will be allocated to each local school precinct as determined pursuant to section 14 of this regulation.

(e) The responsibilities for local school precincts which will remain with Central Services and the responsibilities that will be carried out by the local school precincts.

2. The Superintendent shall post the information established pursuant to subsection 1 on the Internet website of the School District.

Sec. 14. 1. *The amount allocated to a local school precinct must be determined on a per pupil basis and must apply a weighted funding formula in the manner described in subsection 2 that assigns a greater amount of funding for each pupil that belongs to certain designated categories. Except as otherwise provided in subsection 2, such categories must include, without limitation:*

(a) Pupils who live in a household with a household income that is less than the federally designated level signifying poverty, based on the most recent data compiled by the Bureau of the Census of the United States Department of Commerce;

(b) Pupils who are limited English proficient; and

(c) Pupils with disabilities.

2. To establish the weighted funding formula pursuant to paragraph (c) of subsection 1, the School District shall apply the same weights established by the Department of Education for categories of pupils in the state funding formula if such weights have been established. If no such weights have been established or if the School District wishes to apply a different weight to any category, the School District must submit its formula or a request to use a different weight to the Department of Education for approval.

3. Upon receipt of a formula or request pursuant to subsection 3, the Department of Education must review the formula or request and inform the School District whether it

approves within 30 days. Once approved, the weighted funding formula including the weights assigned must be posted on the Internet website of the School District.

4. On or before January 1 of each year, the Superintendent shall inform each local school precinct of the anticipated amount that will be allocated to the local school precinct based upon the number of pupils who attend the school after applying the weighted funding formula. The number of pupils must be determined based upon the report of the pupils attending each school for the previous calendar quarter pursuant to NRS 387.1223 and will be adjusted at the end of the school year.

Sec. 15. 1. *The Superintendent shall assign a school associate superintendent to oversee each local school precinct. Each school associate superintendent must not be assigned to oversee more than 25 local school precincts.*

2. The school associate superintendent shall, with respect to each local school precinct to which he or she is assigned:

(a) Provide training to and supervise the principal of the school;

(b) Review and approve the plan of operation for the local school precinct that is submitted pursuant to section 17 of this regulation and assist the principal of the school in making any necessary revisions to the plan; and

(c) Carry out any other duties assigned by the Superintendent.

3. The school associate superintendent must be held accountable for all aspects of the performance of the local school precinct.

Sec. 16. *The Board of Trustees may accept gifts, grants and donations from any sources for the support of schools and the School District in carrying out the provisions of sections 2 to 24, inclusive, of this regulation.*

Sec. 17. 1. *The principal of a local school precinct shall:*

(a) Establish an organizational team for the local school precinct consisting of the members described in section 19 of this regulation on or before October 1 of each school year;

(b) Develop the plan of operation for the local school precinct for the next school year with the assistance and advice of the organizational team;

(c) Hire staff for the local school precinct; and

(d) Submit the plan of operation for the local school precinct to the school associate superintendent for the school for approval.

2. The plan of operation for the local school precinct must include, without limitation:

(a) The budget for using the allocation to the local school precinct which itemizes the manner in which the precinct will use the money; and

(b) Any plan to improve the achievement of pupils enrolled in the school that is required to be prepared for the school pursuant to NRS 385A.650.

3. The budget included in the plan of operation for the local school precinct pursuant to subsection 2 must be based upon the average unit cost for each type of employee of the local school precinct established pursuant to paragraph (a) of subsection 1 of section 13 of this regulation, the actual cost for the purchase of equipment, services and supplies for the local school precinct and the actual cost of any other item included in the budget of the local school precinct.

4. Before approving a plan for the operation of a local school precinct, the principal shall present the plan at a public meeting held at the school to which the plan applies.

5. When the plan of operation for the local school precinct is finalized by the principal, the principal must submit the plan to the associate school superintendent for approval.

Sec. 18. 1. *If the organizational team established pursuant to section 17 of this regulation for a local school precinct objects to any part of the plan for the operation of the local school precinct that is submitted by the principal for approval pursuant to section 17 of this regulation, the organizational team may submit a request to the school associate superintendent to consider revising the plan in accordance with the recommendations of the organizational team.*

2. If the school associate superintendent receives a request pursuant to subsection 1, the school associate superintendent must consider the recommendations of the organizational team and provide a written response to the organizational team upon making a final determination about the plan for the operation of the local school precinct.

3. If the school associate superintendent does not accept the recommendations of the organizational team that are submitted pursuant to subsection 1, the organizational team may appeal the decision to the Superintendent. The Superintendent must consider such an appeal within 30 days. The decision of the Superintendent is final and not subject to any further appeal or judicial review.

Sec. 19. 1. *The organizational team for a local school precinct established pursuant to section 17 of this regulation must consist of:*

(a) The principal of the school who shall serve as a nonvoting advisory member.

(b) At least two, but not more than, four teachers who are selected by a vote of the teachers at the school and at least one-half of whom are members of the association of teachers. The association shall establish the process for nominating and electing the members who are teachers which must allow all teachers an opportunity to participate regardless of whether the teachers are members of the association.

(c) At least two, but not more than, four employees of the school, who are selected by a vote of the employees of the school and at least one-half of whom are members of an organization that represents those employees. The employees selected pursuant to this paragraph must not be teachers or any other type of licensed educational personnel. The association shall establish the process for nominating and electing these members which must allow all eligible employees an opportunity to participate regardless of whether the employees are members of the association.

(d) At least two, but not more than, four parents or legal guardians of children who attend the school who are selected by a vote of all parents and legal guardians of children who attend the school. The association of parents for the school shall establish the process for nominating and electing these members

2. The principal of a school shall assist as necessary with establishing the process for nominating and selecting the members described in subsection 1.

3. A person who receives the highest number of votes must be appointed to the organizational team regardless of the total number of votes cast for the position.

Sec. 20. *1. Upon the establishment of an organizational team pursuant to section 17 of this regulation, the principal of the school shall schedule the first meeting of the team and act as Chair of the team until a Chair is selected. The first item of business for the team shall be to select a Chair and a Vice Chair from among its members.*

2. Each member of the organizational team shall serve until October 1 of the following year and may serve additional terms.

3. If a vacancy occurs in the membership of the organizational team, a new member must be selected in the same manner as the original appointment.

4. Each member of the organizational team serves without compensation of any kind.

Sec. 21. *The organizational team that is established pursuant to section 17 of this regulation shall:*

1. Provide assistance and advice to the principal of the precinct in the development of the plan for the organization of the local school precinct;

2. Provide continued assistance and advice to the principal in carrying out the plan for the operation of the local school precinct;

3. Upon notice from the associate school superintendent that a new principal will be selected for the local school precinct, establish a list of qualifications that the organizational team determines are desirable for the principal who will be selected and submit the list to the associate school superintendent.

Sec. 22. *1. Upon approval of a plan for the operation of a local school precinct, the associate school superintendent shall submit the plan on behalf of the local school precinct to the Superintendent for approval.*

2. Upon approval of the plan for the operation of a local school precinct, the Superintendent shall cause the plan to be posted on the Internet website for the School District and the principal of the local school precinct shall cause the plan to be posted on the Internet website of the local school precinct.

Sec. 23. *1. On or before May 1 of each year, the Superintendent shall cause surveys to be administered to all persons involved with each local school precinct to measure their satisfaction with the local school precincts. A survey must be administered to each:*

(a) Employee of each school by classification of employee. Such classifications must include, without limitation, principals, vice principals and other administrative staff, teachers, custodians, counselors and school nurses.

(b) Pupil who attends a school that is operated as a local school precinct.

(c) Parent or legal guardian of a pupil who attends a school that is operated as a local school precinct.

2. On or before May 1 of each year, the Superintendent shall cause surveys to be administered to the staff of Central Services. Such surveys must be administered to staff by department within Central Services and by organizational unit of each such department to measure the satisfaction of the staff concerning their ability to serve the local school precincts, provide services in a timely manner and provide quality services to the local school precincts.

3. A summary of the results of the surveys administered pursuant to this section must be posted on the Internet website of the School District before the commencement of the next school year.

Sec. 24. *1. On or before July 1 of each year, the Board of Trustees shall prepare a report which includes, without limitation:*

(a) A summary of the responsibilities that have been transferred to the local school precincts pursuant to section 11 of this regulation;

(b) A summary of the results of the surveys administered pursuant to section 23 of this regulation;

(c) An assessment of the performance of the local school precincts;

(d) An assessment of the effectiveness of operating schools and the School District in the manner set forth in sections 2 to 24, inclusive, of this regulation; and

(e) Any recommendations for legislation to improve the operation of the School District in the manner set forth in sections 2 to 24, inclusive, of the regulation.

2. The Board of Trustees shall forward the report prepared pursuant to subsection 1 to the:

(a) Governor;

(b) Department of Education; and

(c) The Director of the Legislative Counsel Bureau.

Sec. 25. Any cost incurred by Clark County School District to carry out the provisions of sections 2 to 24, inclusive, of this regulation must be paid for through the redistribution of existing funds of the School District or through savings realized from the reorganization described in sections 2 to 24, inclusive, of this regulation.