

LCB File No. R059-04

**PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

(NOTE: The original version of this regulation was posted in error as that language is already located in R043-04)

NAC 389.059 Restriction on reporting scores of individual pupils; reporting of aggregated scores. (NRS 385.080, 389.015, 389.017, 389.550)

1. Except as otherwise provided by a specific statute or regulation, the department of education shall not report the scores achieved by an individual pupil on an examination required by NRS 389.015 or 389.550 to a person or governmental agency.
2. The department may report the aggregated scores of ~~five~~ *ten* or more pupils.

NAC 385.551 Designations of schools based upon achievement: Limitations. (~~NRS 385.363,~~ *NRS 385.3623, 385.391*)

~~[1. Except as otherwise provided in this subsection, the department will not designate a public school pursuant to NRS 385.363 if the school has 10 or fewer pupils who are enrolled in a grade levels that is tested pursuant to NRS 389.015. If a public school includes more than one grade level that is tested pursuant to NRS 389.015, the department will, for the purpose of designating the school pursuant to NRS 385.363, consider only those grade levels that include more than 10 pupils.~~

~~—2. The department will not, until the 2000-2001 school year, designate a school as demonstrating need for improvement based upon the average daily attendance of pupils who are enrolled in the school.]~~

1. Adequate yearly progress as defined in NRS 385.361 shall be determined for each public school as described in the Nevada Adequate Yearly Progress Technical Manual adopted by the Department and approved by the State Board.

2. The department shall designate all public schools pursuant to NRS 385.3623 as follows:

(a) A school shall be designated as demonstrating exemplary achievement if:

(1) The school has made adequate yearly progress in the current school year,

(2) The school is not designated as demonstrating need for improvement,

(3) In the current school year, the percentage of all pupils in each of the subgroups identified in paragraph (b) of subsection 1 of NRS 385.361 that score at or above the level of proficiency in each content area is significantly greater than the annual measurable objectives in the content areas for the current school year, and

(4) In the current school year, the percentage of pupils scoring below the level of proficiency in a content area has decreased by significantly more than ten percent from the previous school year.

(b) A school shall be designated as demonstrating high achievement if:

(1) The school has made adequate yearly progress in the current school year;

(2) The school is not designated as demonstrating need for improvement; and

(3) In the current school year, the percentage of all pupils in each of the subgroups identified in paragraph (b) of subsection 1 of NRS 385.361 that score at or above the level of proficiency in each content area is significantly greater than the annual measurable objectives in the content areas for the current school year, or

(4) In the current school year, the percentage of pupils scoring below the level of proficiency in a content area has decreased by significantly more than ten percent from the previous school year.

(c) A school shall be designated as demonstrating need for improvement if the school:

(1) Fails to make adequate yearly progress in the same content area for two consecutive school years; or

(2) The school makes adequate yearly progress, but was designated as demonstrating need for improvement in the immediately preceding school year.

If a public school is designated as demonstrating need for improvement, the designation of the school as demonstrating need for improvement must not be removed until the school has made adequate yearly progress for 2 consecutive school years.

(d) A school shall be designated as demonstrating adequate achievement if:

(1) The school is not designated as demonstrating exemplary or high achievement, and

(2) The school is not designated as demonstrating need for improvement.

3. In addition to the designation received by a school pursuant to section 2, a public school that demonstrates significant movement of pupils in the subgroups identified in paragraph (b) of subsection 1 of NRS 385.361 into higher achievement levels may be recognized as demonstrating significant improvement.

Add to NRS 385: Designations of districts based upon achievement

1. Adequate yearly progress as defined in NRS 385.377 shall be determined for each school district as described in the Nevada Adequate Yearly Progress Technical Manual adopted by the Department and approved by the State Board.

2. The department shall designate all school districts pursuant to NRS 385.3623 as follows:

(a) A school district shall be designated as demonstrating exemplary achievement if:

(1) The school district has made adequate yearly progress in the current school year,

(2) The school district is not designated as demonstrating need for improvement,

(3) In the current school year, the percentage of all pupils in each of the subgroups identified in paragraph (b) of subsection 1 of NRS 385.361 that score at or above the level of proficiency in each content area is significantly greater than the annual measurable objectives in the content areas for the current school year, and

(4) In the current school year, the percentage of pupils scoring below the level of proficiency in a content area has decreased by significantly more than ten percent from the previous school year.

(b) A school district shall be designated as demonstrating high achievement if:

(1) The school district has made adequate yearly progress in the current school year;

(2) The school district is not designated as demonstrating need for improvement; and

(3) In the current school year, the percentage of all pupils in each of the subgroups identified in paragraph (b) of subsection 1 of NRS 385.361 that score at or above the level of

proficiency in each content area is significantly greater than the annual measurable objectives in the content areas for the current school year, or

(4) In the current school year, the percentage of pupils scoring below the level of proficiency in a content area has decreased by significantly more than ten percent from the previous school year.

(c) A school district shall be designated as demonstrating need for improvement if the school district:

(1) Fails to make adequate yearly progress in the same content area for two consecutive school years; or

(2) The school district makes adequate yearly progress, but was designated as demonstrating need for improvement in the immediately preceding school year.

If a school district is designated as demonstrating need for improvement, the designation of the school district as demonstrating need for improvement must not be removed until the school district has made adequate yearly progress for 2 consecutive school years.

(d) A school district shall be designated as demonstrating adequate achievement if:

(1) The school district is not designated as demonstrating exemplary or high achievement, and

(2) The school district is not designated as demonstrating need for improvement.

3. In addition to the designation received by a school district pursuant to section 2, a school district that demonstrates significant movement of pupils in the subgroups identified in paragraph (b) of subsection 1 of NRS 385.361 into higher achievement levels may be recognized as demonstrating significant improvement.

4. If a school district is designated as demonstrating need for improvement, the Department, in consultation with the school district shall, at the beginning of the school year, provide notice of the designation to the parents and guardians of pupils enrolled in the school district on a form prescribed by the Department.

NAC 385.566 Designation of school as demonstrating need for improvement; preparation of plan to improve achievement. (NRS 385.391)

~~[1. If a school is a single unit of organization but includes three grades that are tested pursuant to NRS 389.015, the department will designate the school as demonstrating need for improvement pursuant to NRS 385.367 if at least two of the three grades meet the criteria for demonstrating need for improvement set forth in NRS 385.367. If one or more of the grades meet the criteria for demonstrating need for improvement, the school shall prepare a plan to improve the achievement of the school's pupils in cooperation with the board of trustees of the school district pursuant to NRS 385.371 regardless of whether the school is designated as demonstrating need for improvement.~~

~~— 2. If a school is a single unit of organization but includes two grades that are tested pursuant to NRS 389.015, the department will designate the school as demonstrating need for improvement pursuant to NRS 385.367 if at least one of the two grades meets the criteria for demonstrating need for improvement set forth in NRS 385.367. Such a school shall prepare a plan to improve the achievement of its pupils in cooperation with the board of trustees of the school district pursuant to NRS 385.371.]~~

NAC 385.561 Recognition of school designated as demonstrating exemplary or high achievement. (NRS 385.391)

1. If a school:

(a) receives a designation as demonstrating exemplary achievement or high achievement pursuant to ~~[NRS 385.365]~~ **NRS 385.3623.**~~[.]~~

(b) demonstrates significant improvement in the academic achievement of subgroups of pupils identified in paragraph (b) of subsection 1 of NRS 385.361, or

(c) exceeds adequate yearly progress, as determined by the Department pursuant to NRS 385.3613, for 2 or more consecutive school years,

the department, in cooperation with the school district in which the school is located, will provide for the recognition of the school. Such recognition may include, without limitation:

(a) A press release issued by the department to a newspaper that has general circulation in the community in which the school is located and to a newspaper that has general circulation in the county in which the school is located. The department will make such a press release in the same *school* year as it provides written notice of the designations of the public schools in this state pursuant to ~~[NRS 385.369]~~ **NRS 385.366.**

(b) A press release issued by the department to the electronic media in the community in which the school is located and in the county in which the school is located. The department will make such a press release in the same *school* year as it provides written notice of the designations of the public schools in this state pursuant to ~~[NRS 385.369]~~ **NRS 385.366.**

(c) A plaque awarded in a ceremony at the school and during the school day, if practicable. The superintendent of public instruction or his designee will attend the ceremony. Such a ceremony will occur within 60 days after the department provides written notice of the designations of the public schools in this state pursuant to ~~[NRS 385.369]~~ **NRS 385.366.**

2. In addition to the recognition provided for in subsection 1, if a school receives a designation as demonstrating exemplary achievement pursuant to ~~[NRS 385.365]~~ **NRS 385.3623**, the department, in cooperation with the governor, may send a letter of merit on its achievement. If issued, the department will send such a letter within 60 days after the department provides written notice of the designations of the public schools in this state pursuant to ~~[NRS 385.369]~~ **NRS 385.366.**