

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

LCB File No. R109-15

April 6, 2016

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

AUTHORITY: §§1-3, section 4.2 of Senate Bill No. 92, chapter 541, Statutes of Nevada 2015, at page 3823.

A REGULATION relating to education; establishing the criteria and process for designating a public school as a turnaround school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Education to adopt regulations to establish the criteria for designating an underperforming school as a turnaround school. (Section 4.2 of Senate Bill No. 92, chapter 541, Statutes of Nevada 2015, at page 3823) **Section 2** of this regulation provides that a public school is eligible for designation as a turnaround school if: (1) the public school is eligible for conversion to an achievement charter school and is not selected for conversion; or (2) the board of trustees of the school district in which the public school is located, the superintendent of the school district in which the public school is located or the principal of the public school has requested that the Department of Education consider designating the public school as a turnaround school.

Existing law authorizes the principal of a turnaround school to make all determinations for the school concerning hiring and the school's curriculum, schedule and instructional design. (Section 4.2 of Senate Bill No. 92, chapter 541, Statutes of Nevada 2015, at page 3823) **Section 3** of this regulation authorizes the Department to require a third party or a school district to evaluate the ability of the principal of a public school that is eligible for designation as a turnaround school to provide the leadership necessary to form and execute a plan to improve pupil achievement and school performance at the school. **Section 3** provides that the Department may designate a public school as a turnaround school if it determines, as a result of the evaluation, that the principal of the public school has the ability to provide such leadership, with or without additional professional development.

Section 1. Chapter 385 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. A public school is eligible for designation as a turnaround school if:

(a) The public school is eligible, but is not selected, for conversion to an achievement charter school pursuant to subsection 1 of section 20 of Assembly Bill No. 448, chapter 539, Statutes of Nevada 2015, at page 3789; or

(b) The board of trustees of the school district in which the public school is located, the superintendent of the school district in which the public school is located or the principal of the public school has requested the Department to consider designating the public school as a turnaround school.

2. On or before January 15 of each year, the Department will publish a list of public schools that are eligible for designation as a turnaround school.

Sec. 3. 1. For any public school that is determined to be eligible for designation as a turnaround school pursuant to section 2 of this regulation, the Department may require the principal of the public school to be evaluated on his or her ability to provide the leadership necessary to form and execute a plan to improve pupil achievement and school performance at the school. The evaluation may be performed by:

(a) A third party that has been approved by the Department; or

(b) The school district in which the public school is located using a process that has been approved by the Department.

2. To the extent that money is available for this purpose, the Department may:

(a) Enter into a contract with a third party to perform an evaluation pursuant to subsection 1; or

(b) Provide a grant of money to a school district to perform an evaluation pursuant to subsection 1.

3. If the evaluator determines pursuant to subsection 1 that a principal does not have the ability to provide the leadership necessary to form and execute a plan to improve pupil achievement and school performance at the school, the evaluator may recommend any professional development that may assist the principal to develop such leadership skills.

4. The results of an evaluation conducted pursuant to this section must be received by the Department not later than 60 days after the Department publishes the list of public schools that are eligible for designation as a turnaround school pursuant to section 2 of this regulation. The Department will provide the results of the evaluation to the board of trustees of the school district in which the public school is located.

5. The Department may designate a public school as a turnaround school if it determines, as a result of the evaluation conducted pursuant to this section, that the principal of the public school has the ability to provide the leadership necessary to execute a turnaround plan with or without any professional development recommended pursuant to subsection 3.