

SENATE BILL NO. 165—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

(ON BEHALF OF LEGISLATIVE COMMITTEE ON EDUCATION)

FEBRUARY 15, 2001

Referred to Committee on Human Resources and Facilities

SUMMARY—Makes various changes regarding education. (BDR 34-218)

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; revising provisions governing the accountability of public schools; revising provisions governing the requirements for a person to take the tests of general educational development; revising provisions governing the count of pupils and the calculation of basic support under certain circumstances; revising provisions governing the reporting of results of certain achievement and proficiency examinations; revising the requirements for a course in American government and a course in American history; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 385.373 is hereby amended to read as follows:
2 385.373 If the department designates a school as demonstrating need
3 for improvement pursuant to NRS 385.367 for 2 consecutive years or
4 pursuant to NRS 385.368 for 1 year, the department shall:
5 1. Place the school on academic probation.
6 2. Prepare for that school a plan ~~to~~ *which:*
7 (a) *Is unique to the needs and goals of the school;*
8 (b) *Sets forth goals and objectives that are specific, measurable and*
9 *conducive to reliable evaluation; and*
10 (c) *Is designed to:*
11 (1) Improve the achievement of the pupils who are enrolled in the
12 school as measured by the examinations required pursuant to NRS
13 389.015.
14 ~~(b)~~ (2) If the school received a designation pursuant to NRS 385.368,
15 increase the number of pupils who take the examinations required pursuant
16 to NRS 389.015 and ensure that all eligible pupils who are in attendance on



1 the day that the examinations are administered are given an opportunity to
2 take the examinations.

3 3. *When applicable, amend the plan to incorporate the revisions*
4 *adopted by the panel established to supervise the academic probation of*
5 *the school, as required by subsection 6 of NRS 385.381.*

6 4. On or before May 1 of the year in which the second designation was
7 made pursuant to NRS 385.367 or the first designation was made pursuant
8 to NRS 385.368, submit the plan to the:

- 9 (a) Board of trustees of the school district in which the school is
10 located;
11 (b) Governor;
12 (c) State board;
13 (d) Committee; and
14 (e) Bureau.

15 **Sec. 2.** NRS 385.375 is hereby amended to read as follows:

16 385.375 If the department designates a school as demonstrating need
17 for improvement pursuant to NRS 385.367 for 3 or more consecutive years
18 or pursuant to NRS 385.368 for 2 or more consecutive years:

19 1. The department shall:

- 20 (a) Continue the academic probation of the school;
21 (b) Prepare for that school a plan ~~to~~ *which:*
22 (1) *Is unique to the needs and goals of the school;*
23 (2) *Sets forth goals and objectives that are specific, measurable and*
24 *conducive to reliable evaluation; and*
25 (3) *Is designed to:*

26 (I) Improve the achievement of the school's pupils as measured by
27 the examinations required pursuant to NRS 389.015; *and*

28 ~~(2)~~ (II) If the school received a designation pursuant to NRS
29 385.368, increase the number of pupils who take the examinations required
30 pursuant to NRS 389.015; ~~and~~

31 (c) *When applicable, amend the plan to incorporate the revisions*
32 *adopted by the panel established to supervise the academic probation of*
33 *the school, as required by subsection 6 of NRS 385.381; and*

34 (d) On or before May 1 of the year in which the third or subsequent
35 designation was made pursuant to NRS 385.367 or the second or
36 subsequent designation was made pursuant to NRS 385.368, submit the
37 plan to the:

- 38 (1) Board of trustees of the school district in which the school is
39 located;
40 (2) Governor;
41 (3) State board;
42 (4) Committee; and
43 (5) Bureau.

44 A plan prepared and submitted by the department pursuant to this
45 subsection must contain specific information about the school, including,
46 but not limited to, information concerning the administrative operation of
47 the school, the curriculum of the school and the financial and other
48 resources of the school.



1 2. ~~The~~ *In addition to the follow-up report required pursuant to*
2 *subsection 5 of NRS 385.381, the* board of trustees of the school district in
3 which the school is located shall, until such time as the school is designated
4 as demonstrating exemplary achievement, high achievement or adequate
5 achievement pursuant to NRS 385.365, make two reports per year, one at
6 the end of each semester, to the department, the committee, the bureau and
7 the governor concerning the progress of the school in carrying out the plan
8 prepared pursuant to subsection 1.

9 **Sec. 3.** NRS 385.381 is hereby amended to read as follows:

10 385.381 1. A panel established pursuant to NRS 385.378 shall:

11 (a) Review the most recent plan *to improve the achievement of the*
12 *school's pupils* prepared by the department for the school ~~pursuant to~~
13 ~~NRS 385.373 or 385.375 or the plan prepared by the board of trustees of~~
14 ~~the school district pursuant to NRS 385.364 or 385.371;~~ *and the most*
15 *recent written report and written procedure prepared by the board of*
16 *trustees of the school district pursuant to subsection 3 of NRS 385.351;*

17 (b) Identify and investigate the problems and factors at the school that
18 contributed to the designation of the school as demonstrating need for
19 improvement;

20 (c) Hold a public meeting to discuss the actions that the school will
21 need to take to warrant receiving a designation of demonstrating exemplary
22 achievement, high achievement or adequate achievement;

23 ~~[(d) On or before December 1,] and~~

24 (d) *In accordance with its findings pursuant to this subsection and*
25 *subsection 2, adopt written revisions to the most recent plan to improve*
26 *the achievement of the school's pupils prepared by the department for the*
27 *school. The written revisions must:*

28 (1) *Include the data and findings of the panel that provide support*
29 *for the revisions;*

30 (2) *Set forth goals and objectives for the school that are:*

31 (I) *Designed to improve the achievement of the school's pupils;*

32 (II) *Specific;*

33 (III) *Measurable; and*

34 (IV) *Conducive to reliable evaluation;*

35 (3) *Set forth a timeline to carry out the revisions, which must*
36 *provide for full implementation not later than 1 year after the panel*
37 *adopts the revisions;*

38 (4) *Set forth priorities for the school in carrying out the revisions;*
39 *and*

40 (5) *Set forth the duties of each person who is responsible for*
41 *carrying out the revisions.*

42 2. *In addition to the duties prescribed in subsection 1, a panel*
43 *established pursuant to NRS 385.378 shall* prepare a written report that
44 includes ~~an~~ :

45 (a) *A written response by the school district that is prepared in*
46 *accordance with subsection 3;*

47 (b) *Information concerning the most recent plan to improve the*
48 *achievement of the school's pupils prepared by the department,*
49 *including, without limitation, an evaluation of:*



- 1 (1) *The appropriateness of the plan for the school; and*
- 2 (2) *Whether the school has achieved the goals and objectives set*
- 3 *forth in the plan;*
- 4 (c) *The written revisions to the plan to improve the achievement of the*
- 5 *school's pupils adopted by the panel pursuant to paragraph (d) of*
- 6 *subsection 1;*
- 7 (d) *A summary of each program for remediation, if any, purchased*
- 8 *for the school with money that is available from the Federal*
- 9 *Government, this state and the school district in which the school is*
- 10 *located, including, without limitation:*
- 11 (1) *The name of the program;*
- 12 (2) *The date on which the program was purchased and the date on*
- 13 *which the program was carried out by the school;*
- 14 (3) *The percentage of personnel at the school who were trained*
- 15 *regarding the use of the program;*
- 16 (4) *The satisfaction of the personnel at the school with the*
- 17 *program; and*
- 18 (5) *An evaluation of whether the program has improved the*
- 19 *academic achievement of the pupils enrolled in the school who*
- 20 *participated in the program;*
- 21 (e) *An analysis of the problems and factors at the school which*
- 22 *contributed to the designation of the school as demonstrating need for*
- 23 *improvement, including, without limitation, issues relating to:*
- 24 (1) *The financial resources of the school;*
- 25 (2) *The administrative and educational personnel of the school;*
- 26 (3) *The curriculum of the school;*
- 27 (4) *The facilities available at the school, including the availability*
- 28 *and accessibility of educational technology; and*
- 29 (5) *Any other factors that the panel believes contributed to the*
- 30 *designation of the school as demonstrating need for improvement;*
- 31 ~~(e) Submit~~ *and*
- 32 (f) *Other information concerning the school, including, without*
- 33 *limitation:*
- 34 (1) *The results of the pupils who are enrolled in the school on the*
- 35 *examinations that are administered pursuant to NRS 389.015;*
- 36 (2) *Records of the attendance and truancy of pupils who are*
- 37 *enrolled in the school;*
- 38 (3) *The transiency rate of pupils who are enrolled in the school;*
- 39 (4) *A description of the number of years that each teacher has*
- 40 *provided instruction at the school and the rate of turnover of teachers*
- 41 *and other educational personnel employed at the school;*
- 42 (5) *A description of the participation of parents and legal guardians*
- 43 *in the educational process and other activities relating to the school;*
- 44 (6) *A description of each source of money for the remediation of*
- 45 *pupils who are enrolled in the school; and*
- 46 (7) *A description of the disciplinary problems of the pupils who are*
- 47 *enrolled in the school, including, without limitation, the information*
- 48 *contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS*
- 49 *385.347.*



1 3. Before a written report prepared pursuant to subsection 2 is
2 finalized, the panel shall submit a copy of the report to the
3 superintendent of schools of the school district in which the school is
4 located and discuss the report with the superintendent. The
5 superintendent shall, in consultation with the members of the board of
6 trustees of the school district, prepare a written response to the report
7 that includes, without limitation:

8 (a) A statement of the explanation or rebuttal of the school district
9 concerning any findings contained in the report; and

10 (b) Specific plans of the school district to improve the designation of
11 the school and the resources that will be used to carry out those plans.
12 The written response of the school district must be included in the final
13 report of the panel prepared pursuant to subsection 2.

14 4. On or before December 1, the panel shall submit a copy of the
15 final written report to the:

16 ~~(1)~~ (a) Principal of the school;

17 ~~(2)~~ (b) Board of trustees of the school district in which the school is
18 located;

19 ~~(3)~~ (c) Superintendent of schools of the school district in which the
20 school is located;

21 ~~(4)~~ (d) Superintendent of public instruction;

22 ~~(5)~~ (e) Governor;

23 ~~(6)~~ (f) State board;

24 ~~(7)~~ (g) Department;

25 ~~(8)~~ (h) Committee; and

26 ~~(9) Bureau;~~

27 ~~(i) Make;~~

28 (i) Bureau.

29 The panel shall make the written report available, upon request, to each
30 parent or legal guardian of a pupil who is enrolled in the school. ~~and~~

31 ~~(g) In accordance with its findings pursuant to this subsection, adopt~~
32 ~~revisions to the most recent plan prepared by the department for the school~~
33 ~~pursuant to NRS 385.373 or 385.375.~~

34 5. Upon receipt of a final report submitted to the board of trustees of
35 a school district pursuant to paragraph (b) of subsection 4, the board of
36 trustees shall review the report at a public meeting of the board. Not later
37 than 60 days after receipt of a final report, the board of trustees of the
38 school district shall prepare a follow-up report that identifies the actions
39 taken by the board of trustees and the school district to carry out the
40 recommendations contained in the final report, including, without
41 limitation, the revisions to the plan to improve the achievement of the
42 school's pupils adopted by the panel. The board of trustees shall submit a
43 copy of the follow-up report to the:

44 (1) Principal of the school;

45 (2) Superintendent of schools of the school district in which the
46 school is located;

47 (3) Superintendent of public instruction;

48 (4) Governor;

49 (5) State board;



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- (6) *Department;*
- (7) *Committee; and*
- (8) *Bureau.*

~~12-1~~ 6. The department shall, not more than 1 month after receiving the *final* written report submitted by the panel:

(a) Amend the most recent plan prepared by the department for the school. ~~pursuant to NRS 385.373 or 385.375.~~ In amending the plan, the department shall incorporate the revisions adopted by the panel pursuant to paragraph ~~(e)~~ (d) of subsection 1.

(b) Submit to the panel a copy of an amended plan for the school which demonstrates to the satisfaction of the panel that the department incorporated the revisions adopted by the panel pursuant to paragraph ~~(e)~~ (d) of subsection 1.

~~13-1~~ 7. The department shall submit to the panel a copy of the designation that it gives to the school pursuant to NRS 385.363 or NRS 385.368 for the school year immediately succeeding the establishment of the panel. If the school does not earn a designation as demonstrating exemplary achievement, high achievement or adequate achievement for the school year immediately succeeding the establishment of the panel, the panel shall take such action pursuant to subsection 1 and NRS 385.383 as it deems necessary to ensure that the school takes action to improve its designation.

Sec. 4. NRS 385.448 is hereby amended to read as follows:

385.448 1. A person who:

- (a) Is ~~16~~ 17 years of age or older;
- (b) If he is at least ~~16~~ 17 years of age but less than 18 years of age, submits to the state board written permission signed by his parent or legal guardian;
- (c) Has not graduated from a high school;
- (d) Is not currently enrolled in a high school; and
- (e) Satisfies any other requirements prescribed by the state board, may take the tests of general educational development prescribed by the state board.

2. *The board of trustees of a school district may, upon request and for good cause shown, grant permission to take the tests of general educational development prescribed by the state board to a person who:*

- (a) Resides in the school district;*
- (b) Is at least 16 years of age but less than 17 years of age;*
- (c) Submits to the board of trustees written permission signed by his parent or legal guardian;*
- (d) Has not graduated from a high school;*
- (e) Is not currently enrolled in a high school; and*
- (f) Satisfies any other requirements prescribed by the board of trustees.*

3. The state board may adopt regulations to carry out the provisions of ~~this section.~~

~~3-1~~ subsection 1.

4. As used in this section, "tests of general educational development" means examinations which enable persons who have not graduated from



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1 high school to demonstrate that they have achieved an educational level
2 which is an acceptable substitute for completing a high school education.

3 **Sec. 5.** NRS 387.123 is hereby amended to read as follows:

4 387.123 1. The count of pupils for apportionment purposes includes
5 all pupils who are enrolled in programs of instruction of the school district
6 or pupils who reside in the county in which the school district is located
7 and are enrolled in any charter school for:

8 (a) Pupils in the kindergarten department.

9 (b) Pupils in grades 1 to 12, inclusive.

10 (c) Pupils not included under paragraph (a) or (b) who are receiving
11 special education pursuant to the provisions of NRS 388.440 to 388.520,
12 inclusive.

13 (d) Children detained in detention homes, alternative programs and
14 juvenile forestry camps receiving instruction pursuant to the provisions of
15 NRS 388.550, 388.560 and 388.570.

16 (e) Pupils who are enrolled in classes pursuant to subsection 4 of NRS
17 386.560.

18 (f) Pupils who are enrolled in classes pursuant to subsection 3 of NRS
19 392.070.

20 (g) ~~{Part time pupils}~~ *Pupils who are* enrolled in classes and taking
21 courses necessary to receive a high school diploma, excluding those pupils
22 who are included in paragraphs (e) and (f).

23 2. The state board shall establish uniform regulations for counting
24 enrollment and calculating the average daily attendance of pupils. In
25 establishing such regulations for the public schools, the state board:

26 (a) Shall divide the school year into 10 school months, each containing
27 20 or fewer school days.

28 (b) May divide the pupils in grades 1 to 12, inclusive, into categories
29 composed respectively of those enrolled in elementary schools and those
30 enrolled in secondary schools.

31 (c) Shall prohibit the counting of any pupil specified in subsection 1
32 more than once.

33 3. Except as otherwise provided in subsection 4 and NRS 388.700, the
34 state board shall establish by regulation the maximum pupil-teacher ratio in
35 each grade, and for each subject matter wherever different subjects are
36 taught in separate classes, for each school district of this state which is
37 consistent with:

38 (a) The maintenance of an acceptable standard of instruction;

39 (b) The conditions prevailing in the school district with respect to the
40 number and distribution of pupils in each grade; and

41 (c) Methods of instruction used, which may include educational
42 television, team teaching or new teaching systems or techniques.

43 If the superintendent of public instruction finds that any school district is
44 maintaining one or more classes whose pupil-teacher ratio exceeds the
45 applicable maximum, and unless he finds that the board of trustees of the
46 school district has made every reasonable effort in good faith to comply
47 with the applicable standard, he shall, with the approval of the state board,
48 reduce the count of pupils for apportionment purposes by the percentage
49 which the number of pupils attending those classes is of the total number of



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1 pupils in the district, and the state board may direct him to withhold the
2 quarterly apportionment entirely.

3 4. A charter school is not required to comply with the pupil-teacher
4 ratio prescribed by the state board pursuant to subsection 3.

5 **Sec. 6.** NRS 387.1233 is hereby amended to read as follows:

6 387.1233 1. Except as otherwise provided in subsection 2, basic
7 support of each school district must be computed by:

8 (a) Multiplying the basic support guarantee per pupil established for that
9 school district for that school year by the sum of:

10 (1) Six-tenths the count of pupils enrolled in the kindergarten
11 department on the last day of the first school month of the school district
12 for the school year, including, without limitation, the count of pupils who
13 reside in the county and are enrolled in any charter school on the last day
14 of the first school month of the school district for the school year.

15 (2) The count of pupils enrolled in grades 1 to 12, inclusive, on the
16 last day of the first school month of the school district for the school year,
17 including, without limitation, the count of pupils who reside in the county
18 and are enrolled in any charter school on the last day of the first school
19 month of the school district for the school year.

20 (3) The count of pupils not included under subparagraph (1) or (2)
21 who are receiving special education pursuant to the provisions of NRS
22 388.440 to 388.520, inclusive, on the last day of the first school month of
23 the school district for the school year, excluding the count of pupils who
24 have not attained the age of 5 years and who are receiving special
25 education pursuant to subsection 1 of NRS 388.490 on that day.

26 (4) Six-tenths the count of pupils who have not attained the age of 5
27 years and who are receiving special education pursuant to subsection 1 of
28 NRS 388.490 on the last day of the first school month of the school district
29 for the school year.

30 (5) The count of children detained in detention homes, alternative
31 programs and juvenile forestry camps receiving instruction pursuant to the
32 provisions of NRS 388.550, 388.560 and 388.570 on the last day of the
33 first school month of the school district for the school year.

34 (6) The count of pupils who are enrolled in classes for at least one
35 semester pursuant to subsection 4 of NRS 386.560 or subsection 3 of NRS
36 392.070, expressed as a percentage of the total time services are provided
37 to those pupils per school day in proportion to the total time services are
38 provided during a school day to pupils who are counted pursuant to
39 subparagraph (2).

40 (b) Multiplying the number of special education program units
41 maintained and operated by the amount per program established for that
42 school year.

43 (c) Adding the amounts computed in paragraphs (a) and (b).

44 2. If the enrollment of pupils in a school district or a charter school
45 that is located within the school district on the last day of the first school
46 month of the school district for the school year is less than the enrollment
47 of pupils in the same school district or charter school on the last day of the
48 first school month of the school district for *either or both of* the
49 immediately preceding 2 school ~~year, the larger~~ *years, the largest* number



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1 must be used *from among the 3 years* for purposes of apportioning money
2 from the state distributive school account to that school district or charter
3 school pursuant to NRS 387.124.

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

7 4. Pupils who are incarcerated in a facility or institution operated by
8 the department of prisons must not be counted for the purpose of
9 computing basic support pursuant to this section. The average daily
10 attendance for such pupils must be reported to the department of education.

11 5. ~~{Part-time pupils}~~ *Pupils* who are enrolled in courses which are
12 approved by the department as meeting the requirements for an adult to
13 earn a high school diploma must not be counted for the purpose of
14 computing basic support pursuant to this section. ~~{The average daily
15 attendance for such pupils must be reported to the department.}~~

16 **Sec. 7.** NRS 387.303 is hereby amended to read as follows:

17 387.303 1. Not later than November 10 of each year, the board of
18 trustees of each school district shall submit to the superintendent of public
19 instruction and the department of taxation a report which includes the
20 following information:

21 (a) For each fund within the school district, including, without
22 limitation, the school district's general fund and any special revenue fund
23 which receives state money, the total number and salaries of licensed and
24 nonlicensed persons whose salaries are paid from the fund and who are
25 employed by the school district in full-time positions or in part-time
26 positions added together to represent full-time positions. Information must
27 be provided for the current school year based upon the school district's
28 final budget, including any amendments and augmentations thereto, and for
29 the preceding school year. An employee must be categorized as filling an
30 instructional, administrative, instructional support or other position.

31 (b) The count of pupils computed pursuant to paragraph (a) of
32 subsection 1 of NRS 387.1233.

33 (c) ~~{The average daily attendance for the preceding school year and the
34 estimated average daily attendance for the current school year of part time
35 pupils enrolled in courses which are approved by the department as
36 meeting the requirements for an adult to earn a high school diploma.}~~

37 ~~—(d)—~~ The school district's actual expenditures in the fiscal year
38 immediately preceding the report.

39 ~~{(e)}~~ (d) The school district's proposed expenditures for the current
40 fiscal year.

41 ~~{(f)}~~ (e) The schedule of salaries for licensed employees in the current
42 school year and a statement of whether the negotiations regarding salaries
43 for the current school year have been completed. If the negotiations have
44 not been completed at the time the schedule of salaries is submitted, the
45 board of trustees shall submit a supplemental report to the superintendent
46 of public instruction upon completion of negotiations or the determination
47 of an arbitrator concerning the negotiations that includes the schedule of
48 salaries agreed to or required by the arbitrator.



1 ~~(e)~~ (f) The number of teachers who received an increase in salary
2 pursuant to subsection 2 of NRS 391.160 for the current and preceding
3 fiscal years.
4 ~~(h)~~ (g) The number of employees eligible for health insurance within
5 the school district for the current and preceding fiscal years and the amount
6 paid for health insurance for each such employee during those years.
7 ~~(i)~~ (h) The rates for fringe benefits, excluding health insurance, paid
8 by the school district for its licensed employees in the preceding and
9 current fiscal years.
10 ~~(j)~~ (i) The amount paid for extra duties, supervision of extracurricular
11 activities and supplemental pay and the number of employees receiving
12 that pay in the preceding and current fiscal years.
13 2. On or before November 25 of each year, the superintendent of
14 public instruction shall submit to the department of administration and the
15 fiscal analysis division of the legislative counsel bureau, in a format
16 approved by the director of the department of administration, a compilation
17 of the reports made by each school district pursuant to subsection 1.
18 3. The superintendent of public instruction shall, in the compilation
19 required by subsection 2, reconcile the revenues and expenditures of the
20 school districts with the apportionment received by those districts from the
21 state distributive school account for the preceding year.
22 **Sec. 8.** NRS 389.017 is hereby amended to read as follows:
23 389.017 1. The state board shall prescribe regulations requiring that
24 each board of trustees of a school district and each governing body of a
25 charter school submit to the superintendent of public instruction and the
26 department, in the form and manner prescribed by the superintendent, the
27 results of achievement and proficiency examinations given in the 4th, 8th,
28 10th and 11th grades to public school pupils of the district and charter
29 schools. The state board shall not include in the regulations any provision
30 which would violate the confidentiality of the test scores of any individual
31 pupil.
32 2. The results of examinations must be reported for each school,
33 including, without limitation, each charter school, school district and this
34 state as follows:
35 (a) The average score, as defined by the department, of pupils who took
36 the examinations under regular testing conditions; and
37 (b) The average score, as defined by the department, of pupils who took
38 the examinations with modifications or accommodations approved by the
39 private entity that created the examination or, if the department created the
40 examination, the department, if such reporting does not violate the
41 confidentiality of the test scores of any individual pupil.
42 3. The department shall adopt regulations prescribing the requirements
43 for reporting the scores of pupils who:
44 (a) Took the examinations under conditions that were not approved by
45 the private entity that created the examination or, if the department created
46 the examination, by the department;
47 (b) Are enrolled in special schools for children with disabilities;
48 (c) Are enrolled in an alternative program for the education of pupils at
49 risk of dropping out of high school; or



- (d) Are detained in a:
- (1) Youth training center;
 - (2) Youth center;
 - (3) Juvenile forestry camp;
 - (4) Detention home;
 - (5) Youth camp;
 - (6) Juvenile correctional institution; or
 - (7) Correctional institution.

The scores reported pursuant to this subsection must not be included in the average scores reported pursuant to subsection 2.

4. Not later than 10 days after the department receives the results of the achievement and proficiency examinations, the department shall transmit a copy of the results of the examinations administered pursuant to NRS 389.015 to the legislative bureau of educational accountability and program evaluation in a manner that does not violate the confidentiality of the test scores of any individual pupil.

5. On or before November ~~11~~ 15 of each year, each school district and each charter school shall report to the department the following information for each examination administered in the public schools in the school district or charter school:

- (a) The examination administered;
- (b) The grade level or levels of pupils to whom the examination was administered;
- (c) The costs incurred by the school district or charter school in administering each examination; and
- (d) The purpose, if any, for which the results of the examination are used by the school district or charter school.

On or before December ~~11~~ 15 of each year, the department shall transmit to the budget division of the department of administration and the fiscal analysis division of the legislative counsel bureau the information submitted to the department pursuant to this subsection.

6. The superintendent of schools of each school district and the governing body of each charter school shall certify that the number of pupils who took the examinations required pursuant to NRS 389.015 is equal to the number of pupils who are enrolled in each school in the school district or in the charter school who are required to take the examinations except for those pupils who are exempt from taking the examinations. A pupil may be exempt from taking the examinations if:

- (a) His primary language is not English and his proficiency in the English language is below the level that the state board determines is proficient, as measured by an assessment of proficiency in the English language prescribed by the state board pursuant to subsection 8; or
- (b) He is enrolled in a program of special education pursuant to NRS 388.440 to 388.520, inclusive, and his program of special education specifies that he is exempt from taking the examinations.

7. In addition to the information required by subsection 5, the superintendent of public instruction shall:



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1 (a) Report the number of pupils who were not exempt from taking the
2 examinations but were absent from school on the day that the examinations
3 were administered; and

4 (b) Reconcile the number of pupils who were required to take the
5 examinations with the number of pupils who were exempt from taking the
6 examinations or absent from school on the day that the examinations were
7 administered.

8 8. The state board shall prescribe an assessment of proficiency in the
9 English language for pupils whose primary language is not English to
10 determine which pupils are exempt from the examinations pursuant to
11 paragraph (a) of subsection 6.

12 **Sec. 9.** NRS 389.020 is hereby amended to read as follows:

13 389.020 1. In all public schools, the Caliente youth center and the
14 Nevada youth training center, instruction must be given in American
15 government, including , but not limited to , the essentials of the
16 Constitution of the United States, the constitution of the State of Nevada,
17 the origin and history of the constitutions and the study of and devotion to
18 American institutions and ideals.

19 2. ~~{The}~~ *If the* instruction required in subsection 1 ~~{must be given~~
20 ~~during at least 1 year of the elementary school grades and for a period of at~~
21 ~~least 1 year in all high schools.}~~ *is not offered as a separate course, it must*
22 *be included as part of a course in social studies.*

23 **Sec. 10.** NRS 389.030 is hereby amended to read as follows:

24 389.030 *Instruction in* American history, including the history of the
25 State of Nevada , must be taught in all of the public schools in the State of
26 Nevada . ~~{for a period of at least 1 year.}~~ *If the instruction required by this*
27 *section is not offered as a separate course, it must be included as part of*
28 *a course in social studies.*

29 **Sec. 11.** NRS 389.035 is hereby amended to read as follows:

30 389.035 No pupil in any public high school, the Caliente youth center
31 or the Nevada youth training center may receive a certificate or diploma of
32 graduation without having passed a course *that includes instruction* in
33 American government and American history as required by NRS 389.020
34 and 389.030.

35 **Sec. 12.** NRS 389.560 is hereby amended to read as follows:

36 389.560 1. The state board shall adopt regulations that require the
37 board of trustees of each school district and the governing body of each
38 charter school to submit to the superintendent of public instruction, the
39 department and the council, in the form and manner prescribed by the
40 superintendent, the results of the examinations administered pursuant to
41 NRS 389.550. The state board shall not include in the regulations any
42 provision that would violate the confidentiality of the test scores of an
43 individual pupil.

44 2. The results of the examinations must be reported for each school,
45 including, without limitation, each charter school, school district and this
46 state, as follows:

47 (a) The percentage of pupils who have demonstrated proficiency, as
48 defined by the department, and took the examinations under regular testing
49 conditions; and



1 (b) The percentage of pupils who have demonstrated proficiency, as
2 defined by the department, and took the examinations with modifications
3 or accommodations approved by the private entity that created the
4 examination or, if the department created the examination, the department,
5 if such reporting does not violate the confidentiality of the test scores of
6 any individual pupil.

7 3. The department shall adopt regulations prescribing the requirements
8 for reporting the results of pupils who:

9 (a) Took the examinations under conditions that were not approved by
10 the private entity that created the examination or, if the department created
11 the examination, by the department;

12 (b) Are enrolled in special schools for children with disabilities;

13 (c) Are enrolled in an alternative program for the education of pupils at
14 risk of dropping out of high school; or

15 (d) Are detained in a:

16 (1) Youth training center;

17 (2) Youth center;

18 (3) Juvenile forestry camp;

19 (4) Detention home;

20 (5) Youth camp;

21 (6) Juvenile correctional institution; or

22 (7) Correctional institution.

23 The results reported pursuant to this subsection must not be included in the
24 percentage of pupils reported pursuant to subsection 2.

25 4. Not later than 10 days after the department receives the results of
26 the examinations, the department shall transmit a copy of the results to the
27 legislative bureau of educational accountability and program evaluation in
28 a manner that does not violate the confidentiality of the test scores of any
29 individual pupil.

30 5. On or before November ~~14~~ 15 of each year, each school district and
31 each charter school shall report to the department the following
32 information for each examination administered in the public schools in the
33 school district or charter school:

34 (a) The examination administered;

35 (b) The grade level or levels of pupils to whom the examination was
36 administered;

37 (c) The costs incurred by the school district or charter school in
38 administering each examination; and

39 (d) The purpose, if any, for which the results of the examination are
40 used by the school district or charter school.

41 On or before December ~~14~~ 15 of each year, the department shall transmit
42 to the budget division of the department of administration and the fiscal
43 analysis division of the legislative counsel bureau the information
44 submitted to the department pursuant to this subsection.

45 6. The superintendent of schools of each school district and the
46 governing body of each charter school shall certify that the number of
47 pupils who took the examinations is equal to the number of pupils who are
48 enrolled in each school in the school district or in the charter school who
49 are required to take the examinations, except for those pupils who are



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1 exempt from taking the examinations. A pupil may be exempt from taking
2 the examinations if:

3 (a) His primary language is not English and his proficiency in the
4 English language is below the level that the state board determines is
5 proficient, as measured by an assessment of proficiency in the English
6 language prescribed by the state board pursuant to subsection 8; or

7 (b) He is enrolled in a program of special education pursuant to NRS
8 388.440 to 388.520, inclusive, and his program of special education
9 specifies that he is exempt from taking the examinations.

10 7. In addition to the information required by subsection 5, the
11 superintendent of public instruction shall:

12 (a) Report the number of pupils who were not exempt from taking the
13 examinations but were absent from school on the day that the examinations
14 were administered; and

15 (b) Reconcile the number of pupils who were required to take the
16 examinations with the number of pupils who were exempt from taking the
17 examinations or absent from school on the day that the examinations were
18 administered.

19 8. The state board shall prescribe an assessment of proficiency in the
20 English language for pupils whose primary language is not English to
21 determine which pupils are exempt from the examinations pursuant to
22 paragraph (a) of subsection 6.

23 **Sec. 13.** Chapter 392 of NRS is hereby amended by adding thereto a
24 new section to read as follows:

25 *Attendance required by the provisions of NRS 392.040 must be*
26 *excused if a child has obtained permission to take the tests of general*
27 *educational development pursuant to NRS 385.448.*

28 **Sec. 14.** NRS 293.2175 is hereby amended to read as follows:

29 293.2175 1. The county clerk may appoint a pupil as a trainee for the
30 position of election board officer. To qualify for such an appointment, the
31 pupil must be:

32 (a) A United States citizen, a resident of Nevada and a resident of the
33 county in which he serves;

34 (b) Enrolled as a senior in high school;

35 (c) At the time of service, enrolled in or have completed a high school
36 course *that includes instruction* in American government in accordance
37 with NRS 389.020; and

38 (d) Performing at an academic level deemed acceptable by the principal
39 of the pupil's high school.

40 2. The county clerk may only appoint a pupil as a trainee if:

41 (a) The pupil is appointed without party affiliation;

42 (b) The county clerk sends the pupil a certificate stating the date and
43 hours the pupil, upon approval, will act as trainee;

44 (c) At least 20 days before the election in which the pupil will act as
45 trainee, the principal of his high school receives the county clerk's
46 certificate and a written request signed by his parent or guardian to be
47 excused from school for the time specified in the certificate;

48 (d) The principal of the high school approves the pupil's request; and

49 (e) The pupil attends the training class required by NRS 293B.260.



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1 3. The county clerk may assign a trainee such duties as the county
2 clerk deems appropriate. The county clerk shall not require the trainee to
3 perform those duties later than 10 p.m. or any applicable curfew,
4 whichever is earlier.

5 4. The county clerk may compensate a trainee for his service at the
6 same rate fixed for election board officers generally.

7 **Sec. 15.** NRS 293C.222 is hereby amended to read as follows:

8 293C.222 1. The city clerk may appoint a pupil as a trainee for the
9 position of election board officer. To qualify for such an appointment, the
10 pupil must be:

11 (a) A United States citizen, a resident of Nevada and a resident of the
12 city in which he serves;

13 (b) Enrolled as a senior in high school;

14 (c) At the time of service, enrolled in or have completed a high school
15 course *that includes instruction* in American government in accordance
16 with NRS 389.020; and

17 (d) Performing at an academic level deemed acceptable by the principal
18 of the pupil's high school.

19 2. The city clerk may only appoint a pupil as a trainee if:

20 (a) The pupil is appointed without party affiliation;

21 (b) The city clerk sends the pupil a certificate stating the date and hours
22 the pupil, upon approval, will act as a trainee;

23 (c) At least 20 days before the election in which the pupil will act as a
24 trainee, the principal of his high school receives the city clerk's certificate
25 and a written request signed by his parent or guardian to be excused from
26 school for the time specified in the certificate;

27 (d) The principal of the high school approves the pupil's request; and

28 (e) The pupil attends the training class required by NRS 293B.260.

29 3. The city clerk may assign a trainee such duties as the city clerk
30 deems appropriate. The city clerk shall not require the trainee to perform
31 those duties later than 10 p.m., or any applicable curfew, whichever is
32 earlier.

33 4. The city clerk may compensate a trainee for his service at the same
34 rate fixed for election board officers generally.

35 **Sec. 16.** This act becomes effective on July 1, 2001.

