

Senate Bill No. 165—Committee on Human Resources
and Facilities

CHAPTER.....

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:

Section 1. NRS 385.347 is hereby amended to read as follows:

385.347 1. The board of trustees of each school district in this state, in cooperation with associations recognized by the state board as representing licensed personnel in education in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the state board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools in the school district.

2. The board of trustees of each school district shall, on or before March 31 of each year, report to the residents of the district concerning:

(a) The educational goals and objectives of the school district.

(b) Pupil achievement for grades 4, 8, 10 and 11 for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

Unless otherwise directed by the department, the board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school in the district, and each grade in which the examinations were administered:

(1) The number of pupils who took the examinations;

(2) An explanation of instances in which a school was exempt from administering or a pupil was exempt from taking an examination; and

(3) A record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school.

In addition, the board shall also report the results of other examinations of pupil achievement administered to pupils in the school district in grades other than 4, 8, 10 and 11. The results of these examinations for the current school year must be compared with those of previous school years.

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole, including, without limitation, each charter school in the district, the average class size for each required course of study for each secondary school in the district and the district as a whole, including, without

limitation, each charter school in the district, and other data concerning licensed and unlicensed employees of the school district.

(d) The percentage of classes taught by teachers who have been assigned to teach English, mathematics, science or social studies but do not possess a license with an endorsement to teach in that subject area, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(e) The total expenditure per pupil for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(f) The curriculum used by the school district, including:

(1) Any special programs for pupils at an individual school; and

(2) The curriculum used by each charter school in the district.

(g) Records of the attendance and truancy of pupils in all grades, including, without limitation, the average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(h) The annual rate of pupils who drop out of school in grades 9 to 12, inclusive, for each such grade, for each school in the district and for the district as a whole, excluding pupils who:

(1) Provide proof to the school district of successful completion of the examinations of general educational development.

(2) Are enrolled in courses that are approved by the department as meeting the requirements for an adult standard diploma.

(3) Withdraw from school to attend another school.

(i) Records of attendance of teachers who provide instruction, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(j) Efforts made by the school district and by each school in the district, including, without limitation, each charter school in the district, to increase:

(1) Communication with the parents of pupils in the district; and

(2) The participation of parents in the educational process and activities relating to the school district and each school, including, without limitation, the existence of parent organizations and school advisory committees.

(k) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.

(l) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district, including, without limitation, each charter school in the district.

(m) Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.

(n) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(o) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.125, for each school in the district and the

district as a whole, including, without limitation, each charter school in the district.

(p) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school in the district. For the purposes of this paragraph, a pupil is not transient if he is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(q) Each source of funding for the school district.

(r) The amount and sources of money received for remedial education for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(s) For each high school in the district, including, without limitation, each charter school in the district, the percentage of pupils who graduated from that high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university or community college within the University and Community College System of Nevada.

(t) The technological facilities and equipment available at each school, including, without limitation, each charter school, and the district's plan to incorporate educational technology at each school.

(u) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who graduate with:

(1) A standard high school diploma.

(2) An adjusted diploma.

(3) A certificate of attendance.

(v) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.

(w) The number of habitual truants who are reported to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each school in the district and for the district as a whole.

(x) *The amount and sources of money received for the training and professional development of teachers and other educational personnel for each school in the district and for the district as a whole, including, without limitation, each charter school in the district.*

(y) Such other information as is directed by the superintendent of public instruction.

3. The records of attendance maintained by a school for purposes of paragraph (i) of subsection 2 must include the number of teachers who are in attendance at school and the number of teachers who are absent from school. A teacher shall be deemed in attendance if the teacher is excused from being present in the classroom by the school in which he is employed for one of the following reasons:

(a) Acquisition of knowledge or skills relating to the professional development of the teacher; or

(b) Assignment of the teacher to perform duties for cocurricular or extracurricular activities of pupils.

4. The superintendent of public instruction shall:

(a) Prescribe forms for the reports required pursuant to subsection 2 and provide the forms to the respective school districts.

(b) Provide statistical information and technical assistance to the school districts to ensure that the reports provide comparable information with respect to each school in each district and among the districts.

(c) Consult with a representative of the:

(1) Nevada State Education Association;

(2) Nevada Association of School Boards;

(3) Nevada Association of School Administrators;

(4) Nevada Parent Teachers Association;

(5) Budget division of the department of administration; and

(6) Legislative counsel bureau,

concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

5. The superintendent of public instruction may consult with representatives of parent groups other than the Nevada Parent Teachers Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

6. On or before April 15 of each year, the board of trustees of each school district shall submit to each *advisory* board to review school attendance created in the county pursuant to NRS 392.126 the information required in paragraph (g) of subsection 2.

Sec. 2. NRS 385.351 is hereby amended to read as follows:

385.351 1. On or before April 15 of each year, the board of trustees of each school district shall submit the report required pursuant to subsection 2 of NRS 385.347 to the:

(a) Governor;

(b) State board;

(c) Department;

(d) Committee; and

(e) Bureau.

2. On or before April 15 of each year, the board of trustees of each school district shall submit the information prepared by the board of trustees pursuant to paragraph (t) of subsection 2 of NRS 385.347 to the commission on educational technology created pursuant to NRS 388.790.

3. On or before June 15 of each year, the board of trustees of each school district shall ~~+~~

~~—(a) Prepare:~~

~~—(1) A separate~~ *prepare a:*

(a) Separate written report summarizing the effectiveness of the district's program of accountability. The report must include:

~~+(1)~~ *(1)* A review and analysis of the data upon which the report required pursuant to subsection 2 of NRS 385.347 is based and a review

and analysis of any data that is more recent than the data upon which the report is based;

~~[(H)]~~ (2) The identification of any problems or factors at individual schools that are revealed by the review and analysis;

~~[(H)]~~ (3) A summary of the efforts that the school district has made or intends to make in response to the deficiencies or in response to the recommendations identified in the report submitted to the district pursuant to paragraph (b) of subsection 1 of NRS 385.359; ~~and~~

~~[(IV)]~~ (4) A description of the progress that the school district has achieved, if any, as a result of the recommendations submitted pursuant to paragraph (b) of subsection 1 of NRS 385.359 in preceding years and any other analyses made in preceding years ~~+~~

~~[(2)]~~ ~~A written~~; and

(5) *A summary of the efforts that the school district has made or intends to make to ensure that the teachers and other educational personnel employed by the school district receive training and other professional development in:*

(I) The standards of content and performance established by the council to establish academic standards for public schools pursuant to NRS 389.520;

(II) The assessment and measurement of pupil achievement and the effective methods to analyze the tests results and scores of pupils to improve the achievement and proficiency of pupils; and

(III) Specific content areas to enable the teachers and other educational personnel to provide a higher level of instruction in their respective fields of teaching.

(b) *Written* procedure to improve the achievement of pupils who are enrolled in schools within the district, including, but not limited to, a description of the efforts the district has made to correct any deficiencies identified in the written report required pursuant to ~~subparagraph (1)]~~ *paragraph (a)*. The written procedure must describe sources of data that will be used by the board of trustees to evaluate the effectiveness of the written procedure.

~~[(b)]~~ ~~Submit~~

4. *On or before June 15 of each year, the board of trustees of each school district shall submit* copies of the written report and written procedure required pursuant to ~~paragraph (a)]~~ *subsection 3* to the:

~~[(1)]~~ ~~Governor;~~

~~[(2)]~~ (a) *Governor;*

(b) *State board;*

~~[(3)]~~ ~~Department;~~

~~[(4)]~~ (c) *Department;*

(d) *Committee; and*

~~[(5)]~~ (e) *Bureau.*

~~[(4)]~~ 5. The department shall maintain a record of the information that it receives from each school district pursuant to this section in such a manner as will allow the department to create for each school a yearly profile of information.

~~[(5)]~~ 6. The board of trustees of each school district shall ensure that a copy of the written report and written procedure required pursuant to

~~Paragraph (a) of~~ subsection 3 is included with the final budget of the school district adopted pursuant to NRS 354.598.

Sec. 3. NRS 385.367 is hereby amended to read as follows:

385.367 The department shall designate a public school as demonstrating need for improvement if:

1. Less than 60 percent of the pupils enrolled in that school who took the examinations administered pursuant to NRS 389.015 received an average score on those examinations that is at least equal to the 26th percentile of the national reference group of pupils to which the examinations were compared; or

2. The average daily attendance of pupils who are enrolled in the school is less than 90 percent for 3 or more consecutive years based upon the yearly profile of information for the school maintained by the department pursuant to subsection ~~44~~ 5 of NRS 385.351 ~~or subsection 5 of NRS 386.605.~~

3. A school that is designated as demonstrating need for improvement based solely upon the provisions of subsection 2 is not eligible to receive money for remedial programs made available by legislative appropriation for the purposes of NRS 385.389.

Sec. 4. NRS 385.373 is hereby amended to read as follows:

385.373 If the department designates a school as demonstrating need for improvement pursuant to NRS 385.367 for 2 consecutive years or pursuant to NRS 385.368 for 1 year, the department shall:

1. Place the school on academic probation.

2. Prepare for that school a plan ~~to~~ which:

(a) *Is unique to the needs and goals of the school;*

(b) *Sets forth goals and objectives that are specific, measurable and conducive to reliable evaluation; and*

(c) *Is designed to:*

(1) Improve the achievement of the pupils who are enrolled in the school as measured by the examinations required pursuant to NRS 389.015.

~~(b)~~ (2) If the school received a designation pursuant to NRS 385.368, increase the number of pupils who take the examinations required pursuant to NRS 389.015 and ensure that all eligible pupils who are in attendance on the day that the examinations are administered are given an opportunity to take the examinations.

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

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

(a) Board of trustees of the school district in which the school is located;

(b) Governor;

(c) State board;

(d) Committee; and

(e) Bureau.

Sec. 5. NRS 385.375 is hereby amended to read as follows:

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

1. The department shall:

(a) Continue the academic probation of the school;

(b) Prepare for that school a plan ~~to~~ *which:*

(1) *Is unique to the needs and goals of the school;*

(2) *Sets forth goals and objectives that are specific, measurable and conducive to reliable evaluation; and*

(3) *Is designed to:*

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

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

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

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

(1) Board of trustees of the school district in which the school is located;

(2) Governor;

(3) State board;

(4) Committee; and

(5) Bureau.

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

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

Sec. 6. NRS 385.378 is hereby amended to read as follows:

385.378 1. Except as otherwise provided in subsections 3 and 4, in addition to the requirements set forth in NRS 385.373 and 385.375, if a school receives two or more consecutive designations as demonstrating need for improvement pursuant to NRS 385.367 or NRS 385.368, the department shall, on or before August 1, establish a panel to supervise the academic probation of the school. A panel established pursuant to this

section consists of nine members appointed by the superintendent of public instruction as follows:

- (a) Two instructors or professors who provide instruction within the University and Community College System of Nevada;
- (b) One representative of the private sector;
- (c) Two parents or legal guardians of pupils who are enrolled in the school;
- (d) One person who is a member of the board of trustees of a school district; and
- (e) Three persons who are licensed educational personnel at public schools within this state. One person appointed pursuant to this paragraph must be a classroom teacher who provides instruction at a school that is not located within the same school district as the school which is the subject of the evaluation. One person appointed pursuant to this paragraph must be an administrator at a school that is not located within the same school district as the school which is the subject of the evaluation.

2. For each day or portion of a day during which a member of the panel attends a meeting of the panel or is otherwise engaged in the work of the panel, he is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. The school district in which the school on academic probation is located shall pay the allowances and expenses authorized pursuant to this subsection.

3. If a school receives two or more consecutive designations as demonstrating need for improvement pursuant to NRS 385.367, the school may submit to the department a request for a waiver of the requirement for the establishment of a panel to supervise the academic probation of the school. The department may grant such a waiver if the yearly profile of information for the school maintained by the department pursuant to subsection ~~44~~ 5 of NRS 385.351 *or subsection 5 of NRS 386.605* demonstrates to the satisfaction of the department that the school has significantly improved in each of the immediately preceding 3 years covered by the profile.

4. If a school receives two or more consecutive designations as demonstrating need for improvement pursuant to NRS 385.368, the school may submit to the department a request for a waiver of the requirement for the establishment of a panel to supervise the academic probation of the school. The department may grant such a waiver if the yearly profile of information for the school maintained by the department pursuant to subsection ~~44~~ 5 of NRS 385.351 *or subsection 5 of NRS 386.605* demonstrates to the satisfaction of the department that the number of pupils enrolled in the school who take the examinations required pursuant to NRS 389.015 has significantly increased in each of the immediately preceding 2 years covered by the profile.

5. If the department grants a waiver pursuant to subsection 3 or 4, it shall, on or before June 1 of each year, prepare a list that contains the name of each school for which the department has granted a waiver and the justification of the department for granting the waiver. The department shall submit the list to the:

- (a) Governor;
- (b) State board;

- (c) Committee; and
- (d) Bureau.

Sec. 7. NRS 385.381 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

(II) Specific;

(III) Measurable; and

(IV) Conducive to reliable evaluation;

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

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

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

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

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

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

(1) The appropriateness of the plan for the school; and

(2) Whether the school has achieved the goals and objectives set forth in the plan;

(c) The written revisions to the plan to improve the achievement of the school's pupils adopted by the panel pursuant to paragraph (d) of subsection 1;

(d) A summary of each program for remediation, if any, purchased for the school with money that is available from the Federal Government, this state and the school district in which the school is located, including, without limitation:

- (1) The name of the program;*
- (2) The date on which the program was purchased and the date on which the program was carried out by the school;*
- (3) The percentage of personnel at the school who were trained regarding the use of the program;*
- (4) The satisfaction of the personnel at the school with the program; and*
- (5) An evaluation of whether the program has improved the academic achievement of the pupils enrolled in the school who participated in the program;*

(e) An analysis of the problems and factors at the school which contributed to the designation of the school as demonstrating need for improvement, including, without limitation, issues relating to:

- (1) The financial resources of the school;*
- (2) The administrative and educational personnel of the school;*
- (3) The curriculum of the school;*
- (4) The facilities available at the school, including the availability and accessibility of educational technology; and*
- (5) Any other factors that the panel believes contributed to the designation of the school as demonstrating need for improvement;*

~~*(e) Submit*~~ *and*

(f) Other information concerning the school, including, without limitation:

- (1) The results of the pupils who are enrolled in the school on the examinations that are administered pursuant to NRS 389.015;*
- (2) Records of the attendance and truancy of pupils who are enrolled in the school;*
- (3) The transiency rate of pupils who are enrolled in the school;*
- (4) A description of the number of years that each teacher has provided instruction at the school and the rate of turnover of teachers and other educational personnel employed at the school;*
- (5) A description of the participation of parents and legal guardians in the educational process and other activities relating to the school;*
- (6) A description of each source of money for the remediation of pupils who are enrolled in the school; and*
- (7) A description of the disciplinary problems of the pupils who are enrolled in the school, including, without limitation, the information contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS 385.347.*

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

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

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

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

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

~~1(2)~~ *(b) Board of trustees of the school district in which the school is located;*

~~1(3)~~ *(c) Superintendent of schools of the school district in which the school is located;*

~~1(4)~~ *(d) Superintendent of public instruction;*

~~1(5)~~ *(e) Governor;*

~~1(6)~~ *(f) State board;*

~~1(7)~~ *(g) Department;*

~~1(8)~~ *(h) Committee; and*

~~1(9) Bureau;~~

~~1(f) Make~~

(i) Bureau.

The panel shall make the written report available, upon request, to each parent or legal guardian of a pupil who is enrolled in the school. ~~1; and~~

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

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

(1) Principal of the school;

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

(3) Superintendent of public instruction;

(4) Governor;

(5) State board;

(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. ~~1pursuant 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. 8. NRS 385.389 is hereby amended to read as follows:

385.389 1. The department shall adopt programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In adopting these programs of remedial study, the department shall consider the recommendations submitted by the committee pursuant to NRS 218.5354 and programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

2. A school that receives a designation as demonstrating need for improvement pursuant to *subsection 1 of* NRS 385.367 shall adopt a program of remedial study that has been adopted by the department pursuant to subsection 1.

3. A school district that includes a school which receives a designation of demonstrating need for improvement pursuant to *subsection 1 of* NRS 385.367 shall ensure that each of the pupils enrolled in the school who failed to demonstrate at least adequate achievement on the examinations administered pursuant to NRS 389.015 completes, in accordance with the requirements set forth in subsection 5 of NRS 389.015, remedial study that is determined to be appropriate for the pupil.

Sec. 9. 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 high school to demonstrate that they have achieved an educational level which is an acceptable substitute for completing a high school education.

Sec. 10. NRS 386.605 is hereby amended to read as follows:

386.605 1. On or before ~~{April 15}~~ *January 1* of each year, the governing body of each charter school shall submit the information concerning the charter school that is ~~{contained in the report}~~ required pursuant to subsection 2 of NRS 385.347 to the ~~+~~

~~—(a) Governor;~~

~~—(b) State board;~~

~~—(c) Department;~~

~~—(d) Legislative committee on education created pursuant to NRS 218.5352; and~~

~~—(e) Legislative bureau of educational accountability and program evaluation created pursuant to NRS 218.5356.~~ *board of trustees of the school district in which the charter school is located, for inclusion in the report of the school district pursuant to that section. The information must be submitted by the charter school in a format prescribed by the board of trustees.*

2. On or before April 15 of each year, the governing body of each charter school shall submit the information ~~{prepared by the governing body}~~ *applicable to the charter school* that is contained in the report pursuant to paragraph (t) of subsection 2 of NRS 385.347 to the commission on educational technology created pursuant to NRS 388.790.

3. On or before June 15 of each year, the governing body of each charter school shall ~~+~~

~~—(a) Prepare:~~

~~—(1) A separate~~ *prepare a:*

(a) Separate written report summarizing the effectiveness of the charter school’s program of accountability. The report must include:

~~{(1)}~~ *(1)* A review and analysis of the data upon which the report required pursuant to subsection 2 of NRS 385.347 is based and a review and analysis of any data that is more recent than the data upon which the report is based; ~~and~~

~~—(1)}~~ *(2)* The identification of any problems or factors at the charter school that are revealed by the review and analysis ~~+~~

~~—(2) A written~~ ; and

(3) A summary of the efforts that the governing body has made or intends to make to ensure that the teachers and other educational

personnel employed by the governing body receive training and other professional development in:

(I) The standards of content and performance established by the council to establish academic standards for public schools pursuant to NRS 389.520;

(II) The assessment and measurement of pupil achievement and the effective methods to analyze the test results and scores of pupils to improve the achievement and proficiency of pupils; and

(III) Specific content areas to enable the teachers and other educational personnel to provide a higher level of instruction in their respective fields of teaching.

(b) Written procedure to improve the achievement of pupils who are enrolled in the charter school, including, but not limited to, a description of the efforts the governing body has made to correct any deficiencies identified in the written report required pursuant to ~~subparagraph (1)~~ *paragraph (a)*. The written procedure must describe sources of data that will be used by the governing body to evaluate the effectiveness of the written procedure.

~~[(b) Submit]~~

4. On or before June 15 of each year, the governing body of each charter school shall submit copies of the written report and written procedure required pursuant to ~~paragraph (a)~~ *subsection 3* to the:

~~[(1) Governor;~~

~~—(2)] (a) Governor;~~

(b) State board;

~~[(3) Department;~~

~~—(4)] (c) Department;~~

(d) Legislative committee on education created pursuant to NRS 218.5352; and

~~[(5)] (e) Legislative bureau of educational accountability and program evaluation created pursuant to NRS 218.5356~~ ~~[(f)]~~ *; and*

(f) Board of trustees of the school district in which the charter school is located.

~~[(4)]~~ *5.* The department shall maintain a record of the information that it receives from each charter school pursuant to this section in such a manner as will allow the department to create for each charter school a yearly profile of information.

~~[(5)]~~ *6.* The governing body of each charter school shall ensure that a copy of the written report and written procedure required pursuant to ~~paragraph (a) of~~ subsection 3 is included with the final budget of the charter school adopted by the governing body of the charter school pursuant to the regulations of the department.

~~[(6)]~~ *7.* The legislative bureau of educational accountability and program evaluation created pursuant to NRS 218.5356 may authorize a person or entity with whom it contracts pursuant to NRS 385.359 to review and analyze information submitted by charter schools pursuant to this section, consult with the governing bodies of charter schools and submit written reports concerning charter schools pursuant to NRS 385.359.

Sec. 11. NRS 387.123 is hereby amended to read as follows:

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

- (a) Pupils in the kindergarten department.
- (b) Pupils in grades 1 to 12, inclusive.
- (c) Pupils not included under paragraph (a) or (b) who are receiving special education pursuant to the provisions of NRS 388.440 to 388.520, inclusive.
- (d) Children detained in detention homes, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570.
- (e) Pupils who are enrolled in classes pursuant to subsection 4 of NRS 386.560.
- (f) Pupils who are enrolled in classes pursuant to subsection 3 of NRS 392.070.
- (g) ~~Part-time pupils~~ *Pupils who are* enrolled in classes and taking courses necessary to receive a high school diploma, excluding those pupils who are included in paragraphs (e) and (f).

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

- (a) Shall divide the school year into 10 school months, each containing 20 or fewer school days.
- (b) May divide the pupils in grades 1 to 12, inclusive, into categories composed respectively of those enrolled in elementary schools and those enrolled in secondary schools.
- (c) Shall prohibit the counting of any pupil specified in subsection 1 more than once.

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

- (a) The maintenance of an acceptable standard of instruction;
- (b) The conditions prevailing in the school district with respect to the number and distribution of pupils in each grade; and
- (c) Methods of instruction used, which may include educational television, team teaching or new teaching systems or techniques.

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

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

Sec. 12. NRS 387.1233 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

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

2. If the enrollment of pupils in a school district or a charter school that is located within the school district on the last day of the first school month of the school district for the school year is less than the enrollment of pupils in the same school district or charter school on the last day of the first school month of the school district for *either or both of* the immediately preceding *2* school ~~[year, the larger]~~ *years, the largest* number must be used *from among the 3 years* for purposes of apportioning money from the state distributive school account to that school district or charter school pursuant to NRS 387.124.

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

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

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

Sec. 13. NRS 387.303 is hereby amended to read as follows:

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

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

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

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

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

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

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

~~{(g)}~~ **(f)** The number of teachers who received an increase in salary pursuant to subsection 2 of NRS 391.160 for the current and preceding fiscal years.

~~(f)(h)~~ (g) The number of employees eligible for health insurance within the school district for the current and preceding fiscal years and the amount paid for health insurance for each such employee during those years.

~~(f)(h)~~ (h) The rates for fringe benefits, excluding health insurance, paid by the school district for its licensed employees in the preceding and current fiscal years.

~~(f)(h)~~ (i) The amount paid for extra duties, supervision of extracurricular activities and supplemental pay and the number of employees receiving that pay in the preceding and current fiscal years.

2. On or before November 25 of each year, the superintendent of public instruction shall submit to the department of administration and the fiscal analysis division of the legislative counsel bureau, in a format approved by the director of the department of administration, a compilation of the reports made by each school district pursuant to subsection 1.

3. The superintendent of public instruction shall, in the compilation required by subsection 2, reconcile the revenues and expenditures of the school districts with the apportionment received by those districts from the state distributive school account for the preceding year.

Sec. 14. NRS 389.015 is hereby amended to read as follows:

389.015 1. The board of trustees of each school district shall administer examinations in all public schools of the school district. The governing body of a charter school shall administer the same examinations in the charter school. The examinations administered by the board of trustees and governing body must determine the achievement and proficiency of pupils in:

- (a) Reading;
- (b) Writing;
- (c) Mathematics; and

(d) Administered in each school in accordance with the plan adopted pursuant to section 2 of *Assembly Bill No. 214 of this ~~act~~ session* by the department and with the plan adopted pursuant to section 4 of *Assembly Bill No. 214 of this ~~act~~ session* by the board of trustees of the school district in which the examinations are administered. The department shall monitor the compliance of school districts and individual schools with:

(1) The plan adopted by the department; and

(2) The plan adopted by the board of trustees of the applicable school district, to the extent that the plan adopted by the board of trustees of the school district is consistent with the plan adopted by the department.

(e) Science.

2. The examinations required by subsection 1 must be:

(a) Administered before the completion of grades 4, 8, 10 and 11.

(b) Administered in each school district and each charter school at the same time. The time for the administration of the examinations must be prescribed by the state board.

(c) Administered in each school in accordance with uniform procedures adopted by the state board. The department shall monitor the compliance of school districts and individual schools with the uniform procedures.

(d) Scored by the department or a single private entity that has contracted with the state board to score the examinations. If a private entity

scores the examinations, it shall report the results of the examinations in the form and by the date required by the department.

3. Not more than 14 working days after the results of the examinations are reported to the department by a private entity that scored the examinations or the department completes the scoring of the examinations, the superintendent of public instruction shall certify that the results of the examinations have been transmitted to each school district and each charter school. Not more than 10 working days after a school district receives the results of the examinations, the superintendent of schools of each school district shall certify that the results of the examinations have been transmitted to each school within the school district. Except as otherwise provided in this subsection, not more than 15 working days after each school receives the results of the examinations, the principal of each school and the governing body of each charter school shall certify that the results for each pupil have been provided to the parent or legal guardian of the pupil:

(a) During a conference between the teacher of the pupil or administrator of the school and the parent or legal guardian of the pupil; or

(b) By mailing the results of the examinations to the last known address of the parent or legal guardian of the pupil.

If a pupil fails the high school proficiency examination, the school shall notify the pupil and the parents or legal guardian of the pupil as soon as practicable but not later than 15 working days after the school receives the results of the examination.

4. Different standards of proficiency may be adopted for pupils with diagnosed learning disabilities. If a pupil with a disability is unable to take an examination created by a private entity under regular testing conditions or with modifications and accommodations that are approved by the private entity, the pupil may take the examination with modifications and accommodations that are approved by the state board pursuant to subsection 8. If a pupil with a disability is unable to take an examination created by the department under regular testing conditions or with modifications and accommodations that are approved by the department, the pupil may take the examination with modifications and accommodations that are approved by the state board pursuant to subsection 8. The results of an examination that is taken under conditions that are not approved by a private entity or the department, as applicable, must not be reported pursuant to subsection 2 of NRS 389.017. If different standards of proficiency are adopted or other modifications or accommodations are made in the administration of the examinations for a pupil who is enrolled in a program of special education pursuant to NRS 388.440 to 388.520, inclusive, other than a gifted and talented pupil, the different standards adopted or other modifications or accommodations must be set forth in the pupil's program of special education developed in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the standards prescribed by the state board. During the administration of the high school proficiency examination, a pupil with a disability may be given additional time to complete the examination if the additional time is a modification or accommodation that is approved in the

pupil's program of special education developed in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

5. If a pupil fails to demonstrate at least adequate achievement on the examination administered before the completion of grade 4, 8 or 10, he may be promoted to the next higher grade, but the results of his examination must be evaluated to determine what remedial study is appropriate. If such a pupil is enrolled at a school that has been designated as demonstrating need for improvement pursuant to [subsection 1 of NRS 385.367](#), the pupil must, in accordance with the requirements set forth in this subsection, complete remedial study that is determined to be appropriate for the pupil.

6. If a pupil fails to pass the proficiency examination administered before the completion of grade 11, he must not be graduated until he is able, through remedial study, to pass the proficiency examination, but he may be given a certificate of attendance, in place of a diploma, if he has reached the age of 17 years.

7. The state board shall prescribe standard examinations of achievement and proficiency to be administered pursuant to subsection 1. The examinations on reading, mathematics and science prescribed for grades 4, 8 and 10 must be selected from examinations created by private entities and administered to a national reference group, and must allow for a comparison of the achievement and proficiency of pupils in grades 4, 8 and 10 in this state to that of a national reference group of pupils in grades 4, 8 and 10. The questions contained in the examinations and the approved answers used for grading them are confidential, and disclosure is unlawful except:

(a) To the extent necessary for administering and evaluating the examinations.

(b) That a disclosure may be made to a:

(1) State officer who is a member of the executive or legislative branch to the extent that it is necessary for the performance of his duties;

(2) Superintendent of schools of a school district to the extent that it is necessary for the performance of his duties;

(3) Director of curriculum of a school district to the extent that it is necessary for the performance of his duties; and

(4) Director of testing of a school district to the extent that it is necessary for the performance of his duties.

(c) That specific questions and answers may be disclosed if the superintendent of public instruction determines that the content of the questions and answers is not being used in a current examination and making the content available to the public poses no threat to the security of the current examination process.

8. The state board shall prescribe, in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., the modifications and accommodations that may be used in the administration of an examination to a pupil with a disability who is unable to take the examination under regular testing conditions or with modifications and accommodations that are approved by the private entity that created the examination or, if the department created the examination, by the

department. These regulations may include, without limitation, authorizing a pupil to complete an examination with additional time.

Sec. 15. NRS 389.017 is hereby amended to read as follows:

389.017 1. The state board shall prescribe regulations requiring that each board of trustees of a school district and each governing body of a charter school submit to the superintendent of public instruction and the department, in the form and manner prescribed by the superintendent, the results of achievement and proficiency examinations given in the 4th, 8th, 10th and 11th grades to public school pupils of the district and charter schools. The state board shall not include in the regulations any provision which would violate the confidentiality of the test scores of any individual pupil.

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

(a) The average score, as defined by the department, of pupils who took the examinations under regular testing conditions; and

(b) The average score, as defined by the department, of pupils who took the examinations with modifications or accommodations approved by the private entity that created the examination or, if the department created the examination, the department, if such reporting does not violate the confidentiality of the test scores of any individual pupil.

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

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

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

(c) Are enrolled in an alternative program for the education of pupils at 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 ~~14~~ 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 ~~14~~ 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:

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

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

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

Sec. 16. NRS 389.020 is hereby amended to read as follows:

389.020 1. In all public schools, the Caliente youth center and the Nevada youth training center, instruction must be given in American government, including ~~{but not limited to the essentials}~~ , *without limitation, the:*

(a) Essentials of the :

(1) Constitution of the United States, ~~{the constitution}~~ including, without limitation, the Bill of Rights;

(2) Constitution of the State of Nevada ~~{the origin}~~ ; and

(3) Declaration of Independence;

(b) Origin and history of the constitutions ; and ~~{the study}~~

(c) Study of and devotion to American institutions and ideals.

2. The instruction required in subsection 1 must be given during at least 1 year of the elementary school grades and for a period of at least 1 year in all high schools.

Sec. 17. NRS 389.030 is hereby amended to read as follows:

389.030 American history, including , *without limitation*, the history of the :

1. Constitution of the United States, including, without limitation, the Bill of Rights;

2. State of Nevada , including, without limitation, the Constitution of the State of Nevada; and

3. Declaration of Independence,

must be taught in all of the public schools in the State of Nevada for a period of at least 1 year.

Sec. 18. NRS 389.560 is hereby amended to read as follows:

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

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

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

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

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

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

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

(c) Are enrolled in an alternative program for the education of pupils at 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 results reported pursuant to this subsection must not be included in the percentage of pupils reported pursuant to subsection 2.

4. Not later than 10 days after the department receives the results of the examinations, the department shall transmit a copy of the results 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 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:

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

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

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

Sec. 19. Chapter 392 of NRS is hereby amended by adding thereto a new section to read as follows:

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

Sec. 20. Section 5 of Senate Bill No. 36 of this session is hereby amended to read as follows:

Sec. 5. NRS 387.303 is hereby amended to read as follows:

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

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

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

(c) The school district's actual expenditures in the fiscal year immediately preceding the report.

(d) The school district's proposed expenditures for the current fiscal year.

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

(f) The number of teachers who received an increase in salary pursuant to subsection 2 of NRS 391.160 for the current and preceding fiscal years.

(g) The number of employees eligible for health insurance within the school district for the current and preceding fiscal years and the amount paid for health insurance for each such employee during those years.

(h) The rates for fringe benefits, excluding health insurance, paid by the school district for its licensed employees in the preceding and current fiscal years.

(i) The amount paid for extra duties, supervision of extracurricular activities and supplemental pay and the number of employees receiving that pay in the preceding and current fiscal years.

(j) The expenditures from the account created pursuant to subsection 3 of NRS 179.1187. The report must indicate the total amount received by the district in the preceding fiscal year, and the specific amount spent on books and computer hardware and software for each grade level in the district.

2. On or before November 25 of each year, the superintendent of public instruction shall submit to the department of administration and the fiscal analysis division of the legislative counsel bureau, in a format approved by the director of the department of administration, a compilation of the reports made by each school district pursuant to subsection 1.

3. The superintendent of public instruction shall, in the compilation required by subsection 2, reconcile the revenues and expenditures of the school districts with the apportionment received by those districts from the state distributive school account for the preceding year.

Sec. 21. 1. This section and sections 1 to 13, inclusive, and 15 to 20, inclusive, of this act become effective on July 1, 2001.

2. Section 14 of this act becomes effective at 12:01 a.m. on July 1, 2001.