

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 385.347 is hereby amended to read as follows:
2 385.347 1. The board of trustees of each school district in this state,
3 in cooperation with associations recognized by the state board as
4 representing licensed personnel in education in the district, shall adopt a
5 program providing for the accountability of the school district to the
6 residents of the district and to the state board for the quality of the schools
7 and the educational achievement of the pupils in the district, including,
8 without limitation, pupils enrolled in charter schools in the school district.
9 2. The board of trustees of each school district shall, on or before
10 March 31 of each year, report to the residents of the district concerning:
11 (a) The educational goals and objectives of the school district.
12 (b) Pupil achievement for grades 4, 8, 10 and 11 for each school in the
13 district and the district as a whole, including, without limitation, each
14 charter school in the district.
15 Unless otherwise directed by the department, the board of trustees of the
16 district shall base its report on the results of the examinations administered



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- 1 pursuant to NRS 389.015 and shall compare the results of those
2 examinations for the current school year with those of previous school
3 years. The report must include, for each school in the district, including,
4 without limitation, each charter school in the district, and each grade in
5 which the examinations were administered:
- 6 (1) The number of pupils who took the examinations;
 - 7 (2) An explanation of instances in which a school was exempt from
8 administering or a pupil was exempt from taking an examination; and
 - 9 (3) A record of attendance for the period in which the examinations
10 were administered, including an explanation of any difference in the
11 number of pupils who took the examinations and the number of pupils who
12 are enrolled in the school.
- 13 In addition, the board shall also report the results of other examinations of
14 pupil achievement administered to pupils in the school district in grades
15 other than 4, 8, 10 and 11. The results of these examinations for the current
16 school year must be compared with those of previous school years.
- 17 (c) The ratio of pupils to teachers in kindergarten and at each grade
18 level for each elementary school in the district and the district as a whole,
19 including, without limitation, each charter school in the district, the
20 average class size for each required course of study for each secondary
21 school in the district and the district as a whole, including, without
22 limitation, each charter school in the district, and other data concerning
23 licensed and unlicensed employees of the school district.
 - 24 (d) The percentage of classes taught by teachers who have been
25 assigned to teach English, mathematics, science or social studies but do not
26 possess a license with an endorsement to teach in that subject area, for each
27 school in the district and the district as a whole, including, without
28 limitation, each charter school in the district.
 - 29 (e) The total expenditure per pupil for each school in the district and the
30 district as a whole, including, without limitation, each charter school in the
31 district.
 - 32 (f) The curriculum used by the school district, including:
 - 33 (1) Any special programs for pupils at an individual school; and
 - 34 (2) The curriculum used by each charter school in the district.
 - 35 (g) Records of the attendance and truancy of pupils in all grades,
36 including, without limitation, the average daily attendance of pupils, for
37 each school in the district and the district as a whole, including, without
38 limitation, each charter school in the district.
 - 39 (h) The annual rate of pupils who drop out of school in grades 9 to 12,
40 inclusive, for each such grade, for each school in the district and for the
41 district as a whole, excluding pupils who:
 - 42 (1) Provide proof to the school district of successful completion of
43 the examinations of general educational development.
 - 44 (2) Are enrolled in courses that are approved by the department as
45 meeting the requirements for an adult standard diploma.
 - 46 (3) Withdraw from school to attend another school.
 - 47 (i) Records of attendance of teachers who provide instruction, for each
48 school in the district and the district as a whole, including, without
49 limitation, each charter school in the district.



- 1 (j) Efforts made by the school district and by each school in the district,
2 including, without limitation, each charter school in the district, to
3 increase:
- 4 (1) Communication with the parents of pupils in the district; and
5 (2) The participation of parents in the educational process and
6 activities relating to the school district and each school, including, without
7 limitation, the existence of parent organizations and school advisory
8 committees.
- 9 (k) Records of incidents involving weapons or violence for each school
10 in the district, including, without limitation, each charter school in the
11 district.
- 12 (l) Records of incidents involving the use or possession of alcoholic
13 beverages or controlled substances for each school in the district,
14 including, without limitation, each charter school in the district.
- 15 (m) Records of the suspension and expulsion of pupils required or
16 authorized pursuant to NRS 392.466 and 392.467.
- 17 (n) The number of pupils who are deemed habitual disciplinary
18 problems pursuant to NRS 392.4655, for each school in the district and the
19 district as a whole, including, without limitation, each charter school in the
20 district.
- 21 (o) The number of pupils in each grade who are retained in the same
22 grade pursuant to NRS 392.125, for each school in the district and the
23 district as a whole, including, without limitation, each charter school in the
24 district.
- 25 (p) The transiency rate of pupils for each school in the district and the
26 district as a whole, including, without limitation, each charter school in the
27 district. For the purposes of this paragraph, a pupil is not transient if he is
28 transferred to a different school within the school district as a result of a
29 change in the zone of attendance by the board of trustees of the school
30 district pursuant to NRS 388.040.
- 31 (q) Each source of funding for the school district.
- 32 (r) The amount and sources of money received for remedial education
33 for each school in the district and the district as a whole, including, without
34 limitation, each charter school in the district.
- 35 (s) For each high school in the district, including, without limitation,
36 each charter school in the district, the percentage of pupils who graduated
37 from that high school or charter school in the immediately preceding year
38 and enrolled in remedial courses in reading, writing or mathematics at a
39 university or community college within the University and Community
40 College System of Nevada.
- 41 (t) The technological facilities and equipment available at each school,
42 including, without limitation, each charter school, and the district's plan to
43 incorporate educational technology at each school.
- 44 (u) For each school in the district and the district as a whole, including,
45 without limitation, each charter school in the district, the number and
46 percentage of pupils who graduate with:
- 47 (1) A standard high school diploma.
48 (2) An adjusted diploma.
49 (3) A certificate of attendance.



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

5 (w) The number of habitual truants who are reported to a school police
6 officer or law enforcement agency pursuant to paragraph (a) of subsection
7 2 of NRS 392.144 and the number of habitual truants who are referred to
8 an advisory board to review school attendance pursuant to paragraph (b) of
9 subsection 2 of NRS 392.144, for each school in the district and for the
10 district as a whole.

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

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

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

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

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

27 4. The superintendent of public instruction shall:

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

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

33 (c) Consult with a representative of the:

34 (1) Nevada State Education Association;

35 (2) Nevada Association of School Boards;

36 (3) Nevada Association of School Administrators;

37 (4) Nevada Parent Teachers Association;

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

39 (6) Legislative counsel bureau,

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

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

47 6. On or before April 15 of each year, the board of trustees of each
48 school district shall submit to each *advisory* board to review school



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1 attendance created in the county pursuant to NRS 392.126 the information
2 required in paragraph (g) of subsection 2.

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

4 385.351 1. On or before April 15 of each year, the board of trustees
5 of each school district shall submit the report required pursuant to
6 subsection 2 of NRS 385.347 to the:

- 7 (a) Governor;
8 (b) State board;
9 (c) Department;
10 (d) Committee; and
11 (e) Bureau.

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

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

18 ~~—(a) Prepare:~~

19 ~~—(1) A separate~~ *prepare a:*

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

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

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

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

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

36 ~~—(2) A written~~ ; and

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

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

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

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



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

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

12 ~~(1) Governor;~~
13 ~~(2) (a) Governor;~~
14 (b) State board;
15 ~~(3) Department;~~
16 ~~(4) (c) Department;~~
17 (d) Committee; and
18 ~~(5) (e) Bureau.~~

19 ~~(4)~~ 5. The department shall maintain a record of the information that
20 it receives from each school district pursuant to this section in such a
21 manner as will allow the department to create for each school a yearly
22 profile of information.

23 ~~(5)~~ 6. The board of trustees of each school district shall ensure that a
24 copy of the written report and written procedure required pursuant to
25 ~~paragraph (a) of~~ subsection 3 is included with the final budget of the
26 school district adopted pursuant to NRS 354.598.

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

28 385.367 The department shall designate a public school as
29 demonstrating need for improvement if:

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

35 2. The average daily attendance of pupils who are enrolled in the
36 school is less than 90 percent for 3 or more consecutive years based upon
37 the yearly profile of information for the school maintained by the
38 department pursuant to subsection ~~(4)~~ 5 of NRS 385.351 ~~(4)~~ *or subsection 5*
39 *of NRS 386.605.*

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

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

45 385.373 If the department designates a school as demonstrating need
46 for improvement pursuant to NRS 385.367 for 2 consecutive years or
47 pursuant to NRS 385.368 for 1 year, the department shall:

48 1. Place the school on academic probation.
49 2. Prepare for that school a plan ~~to~~ *which:*



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- 1 (a) *Is unique to the needs and goals of the school;*
2 (b) *Sets forth goals and objectives that are specific, measurable and*
3 *conductive to reliable evaluation; and*
4 (c) *Is designed to:*
5 (I) Improve the achievement of the pupils who are enrolled in the
6 school as measured by the examinations required pursuant to NRS
7 389.015.
8 ~~1(b)~~ (2) If the school received a designation pursuant to NRS 385.368,
9 increase the number of pupils who take the examinations required pursuant
10 to NRS 389.015 and ensure that all eligible pupils who are in attendance on
11 the day that the examinations are administered are given an opportunity to
12 take the examinations.
13 3. *When applicable, amend the plan to incorporate the revisions*
14 *adopted by the panel established to supervise the academic probation of*
15 *the school, as required by subsection 6 of NRS 385.381.*
16 4. On or before May 1 of the year in which the second designation was
17 made pursuant to NRS 385.367 or the first designation was made pursuant
18 to NRS 385.368, submit the plan to the:
19 (a) Board of trustees of the school district in which the school is
20 located;
21 (b) Governor;
22 (c) State board;
23 (d) Committee; and
24 (e) Bureau.
25 **Sec. 5.** NRS 385.375 is hereby amended to read as follows:
26 385.375 If the department designates a school as demonstrating need
27 for improvement pursuant to NRS 385.367 for 3 or more consecutive years
28 or pursuant to NRS 385.368 for 2 or more consecutive years:
29 1. The department shall:
30 (a) Continue the academic probation of the school;
31 (b) Prepare for that school a plan ~~to~~ *which:*
32 (1) *Is unique to the needs and goals of the school;*
33 (2) *Sets forth goals and objectives that are specific, measurable and*
34 *conductive to reliable evaluation; and*
35 (3) *Is designed to:*
36 (I) Improve the achievement of the school's pupils as measured by
37 the examinations required pursuant to NRS 389.015; *and*
38 ~~1(2)~~ (II) If the school received a designation pursuant to NRS
39 385.368, increase the number of pupils who take the examinations required
40 pursuant to NRS 389.015; ~~and~~
41 (c) *When applicable, amend the plan to incorporate the revisions*
42 *adopted by the panel established to supervise the academic probation of*
43 *the school, as required by subsection 6 of NRS 385.381; and*
44 (d) On or before May 1 of the year in which the third or subsequent
45 designation was made pursuant to NRS 385.367 or the second or
46 subsequent designation was made pursuant to NRS 385.368, submit the
47 plan to the:
48 (1) Board of trustees of the school district in which the school is
49 located;



- 1 (2) Governor;
- 2 (3) State board;
- 3 (4) Committee; and
- 4 (5) Bureau.

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

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

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

19 385.378 1. Except as otherwise provided in subsections 3 and 4, in
20 addition to the requirements set forth in NRS 385.373 and 385.375, if a
21 school receives two or more consecutive designations as demonstrating
22 need for improvement pursuant to NRS 385.367 or NRS 385.368, the
23 department shall, on or before August 1, establish a panel to supervise the
24 academic probation of the school. A panel established pursuant to this
25 section consists of nine members appointed by the superintendent of public
26 instruction as follows:

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

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

47 3. If a school receives two or more consecutive designations as
48 demonstrating need for improvement pursuant to NRS 385.367, the school
49 may submit to the department a request for a waiver of the requirement for



1 the establishment of a panel to supervise the academic probation of the
2 school. The department may grant such a waiver if the yearly profile of
3 information for the school maintained by the department pursuant to
4 subsection ~~44~~ 5 of NRS 385.351 *or subsection 5 of NRS 386.605*
5 demonstrates to the satisfaction of the department that the school has
6 significantly improved in each of the immediately preceding 3 years
7 covered by the profile.

8 4. If a school receives two or more consecutive designations as
9 demonstrating need for improvement pursuant to NRS 385.368, the school
10 may submit to the department a request for a waiver of the requirement for
11 the establishment of a panel to supervise the academic probation of the
12 school. The department may grant such a waiver if the yearly profile of
13 information for the school maintained by the department pursuant to
14 subsection ~~44~~ 5 of NRS 385.351 *or subsection 5 of NRS 386.605*
15 demonstrates to the satisfaction of the department that the number of pupils
16 enrolled in the school who take the examinations required pursuant to NRS
17 389.015 has significantly increased in each of the immediately preceding 2
18 years covered by the profile.

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

- 24 (a) Governor;
25 (b) State board;
26 (c) Committee; and
27 (d) Bureau.

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

29 385.381 1. A panel established pursuant to NRS 385.378 shall:

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

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

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

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

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

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

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



- 1 (I) *Designed to improve the achievement of the school's pupils;*
- 2 (II) *Specific;*
- 3 (III) *Measurable; and*
- 4 (IV) *Conducive to reliable evaluation;*
- 5 (3) *Set forth a timeline to carry out the revisions, which must*
- 6 *provide for full implementation not later than 1 year after the panel*
- 7 *adopts the revisions;*
- 8 (4) *Set forth priorities for the school in carrying out the revisions;*
- 9 *and*
- 10 (5) *Set forth the duties of each person who is responsible for*
- 11 *carrying out the revisions.*
- 12 2. *In addition to the duties prescribed in subsection 1, a panel*
- 13 *established pursuant to NRS 385.378 shall prepare a written report that*
- 14 *includes ~~an~~:*
- 15 (a) *A written response by the school district that is prepared in*
- 16 *accordance with subsection 3;*
- 17 (b) *Information concerning the most recent plan to improve the*
- 18 *achievement of the school's pupils prepared by the department,*
- 19 *including, without limitation, an evaluation of:*
- 20 (1) *The appropriateness of the plan for the school; and*
- 21 (2) *Whether the school has achieved the goals and objectives set*
- 22 *forth in the plan;*
- 23 (c) *The written revisions to the plan to improve the achievement of the*
- 24 *school's pupils adopted by the panel pursuant to paragraph (d) of*
- 25 *subsection 1;*
- 26 (d) *A summary of each program for remediation, if any, purchased*
- 27 *for the school with money that is available from the Federal*
- 28 *Government, this state and the school district in which the school is*
- 29 *located, including, without limitation:*
- 30 (1) *The name of the program;*
- 31 (2) *The date on which the program was purchased and the date on*
- 32 *which the program was carried out by the school;*
- 33 (3) *The percentage of personnel at the school who were trained*
- 34 *regarding the use of the program;*
- 35 (4) *The satisfaction of the personnel at the school with the*
- 36 *program; and*
- 37 (5) *An evaluation of whether the program has improved the*
- 38 *academic achievement of the pupils enrolled in the school who*
- 39 *participated in the program;*
- 40 (e) *An analysis of the problems and factors at the school which*
- 41 *contributed to the designation of the school as demonstrating need for*
- 42 *improvement, including, without limitation, issues relating to:*
- 43 (1) *The financial resources of the school;*
- 44 (2) *The administrative and educational personnel of the school;*
- 45 (3) *The curriculum of the school;*
- 46 (4) *The facilities available at the school, including the availability*
- 47 *and accessibility of educational technology; and*
- 48 (5) *Any other factors that the panel believes contributed to the*
- 49 *designation of the school as demonstrating need for improvement;*



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1 ~~[(e) Submit]~~ and
2 (f) Other information concerning the school, including, without
3 limitation:
4 (1) The results of the pupils who are enrolled in the school on the
5 examinations that are administered pursuant to NRS 389.015;
6 (2) Records of the attendance and truancy of pupils who are
7 enrolled in the school;
8 (3) The transiency rate of pupils who are enrolled in the school;
9 (4) A description of the number of years that each teacher has
10 provided instruction at the school and the rate of turnover of teachers
11 and other educational personnel employed at the school;
12 (5) A description of the participation of parents and legal guardians
13 in the educational process and other activities relating to the school;
14 (6) A description of each source of money for the remediation of
15 pupils who are enrolled in the school; and
16 (7) A description of the disciplinary problems of the pupils who are
17 enrolled in the school, including, without limitation, the information
18 contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS
19 385.347.
20 3. Before a written report prepared pursuant to subsection 2 is
21 finalized, the panel shall submit a copy of the report to the
22 superintendent of schools of the school district in which the school is
23 located and discuss the report with the superintendent. The
24 superintendent shall, in consultation with the members of the board of
25 trustees of the school district, prepare a written response to the report
26 that includes, without limitation:
27 (a) A statement of the explanation or rebuttal of the school district
28 concerning any findings contained in the report; and
29 (b) Specific plans of the school district to improve the designation of
30 the school and the resources that will be used to carry out those plans.
31 The written response of the school district must be included in the final
32 report of the panel prepared pursuant to subsection 2.
33 4. On or before December 1, the panel shall submit a copy of the
34 final written report to the:
35 ~~[(1)]~~ (a) Principal of the school;
36 ~~[(2)]~~ (b) Board of trustees of the school district in which the school is
37 located;
38 ~~[(3)]~~ (c) Superintendent of schools of the school district in which the
39 school is located;
40 ~~[(4)]~~ (d) Superintendent of public instruction;
41 ~~[(5)]~~ (e) Governor;
42 ~~[(6)]~~ (f) State board;
43 ~~[(7)]~~ (g) Department;
44 ~~[(8)]~~ (h) Committee; and
45 ~~[(9) Bureau;~~
46 ~~[(i) Make]~~
47 (i) Bureau.
48 The panel shall make the written report available, upon request, to each
49 parent or legal guardian of a pupil who is enrolled in the school. ~~[-and]~~



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~~1 (g) In accordance with its findings pursuant to this subsection, adopt~~
~~2 revisions to the most recent plan prepared by the department for the school~~
~~3 pursuant to NRS 385.373 or 385.375.~~

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

14 (1) Principal of the school;

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

17 (3) Superintendent of public instruction;

18 (4) Governor;

19 (5) State board;

20 (6) Department;

21 (7) Committee; and

22 (8) Bureau.

~~23 6.~~ *23 6.* The department shall, not more than 1 month after receiving the
24 final written report submitted by the panel:

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

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

~~33 7.~~ *33 7.* The department shall submit to the panel a copy of the
34 designation that it gives to the school pursuant to NRS 385.363 or NRS
35 385.368 for the school year immediately succeeding the establishment of
36 the panel. If the school does not earn a designation as demonstrating
37 exemplary achievement, high achievement or adequate achievement for the
38 school year immediately succeeding the establishment of the panel, the
39 panel shall take such action pursuant to subsection 1 and NRS 385.383 as it
40 deems necessary to ensure that the school takes action to improve its
41 designation.

42 Sec. 8. NRS 385.389 is hereby amended to read as follows:

43 385.389 1. The department shall adopt programs of remedial study
44 for each subject tested on the examinations administered pursuant to NRS
45 389.015. In adopting these programs of remedial study, the department
46 shall consider the recommendations submitted by the committee pursuant
47 to NRS 218.5354 and programs of remedial study that have proven to be
48 successful in improving the academic achievement of pupils.



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

5 3. A school district that includes a school which receives a designation
6 of demonstrating need for improvement pursuant to *subsection 1 of* NRS
7 385.367 shall ensure that each of the pupils enrolled in the school who
8 failed to demonstrate at least adequate achievement on the examinations
9 administered pursuant to NRS 389.015 completes, in accordance with the
10 requirements set forth in subsection 5 of NRS 389.015, remedial study that
11 is determined to be appropriate for the pupil.

12 **Sec. 9.** NRS 385.448 is hereby amended to read as follows:

13 385.448 1. A person who:

14 (a) Is ~~H+6+~~ 17 years of age or older;

15 (b) If he is at least ~~H+6+~~ 17 years of age but less than 18 years of age,
16 submits to the state board written permission signed by his parent or legal
17 guardian;

18 (c) Has not graduated from a high school;

19 (d) Is not currently enrolled in a high school; and

20 (e) Satisfies any other requirements prescribed by the state board,
21 may take the tests of general educational development prescribed by the
22 state board.

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

26 (a) *Resides in the school district;*

27 (b) *Is at least 16 years of age but less than 17 years of age;*

28 (c) *Submits to the board of trustees written permission signed by his*
29 *parent or legal guardian;*

30 (d) *Has not graduated from a high school;*

31 (e) *Is not currently enrolled in a high school; and*

32 (f) *Satisfies any other requirements prescribed by the board of*
33 *trustees.*

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

36 ~~—3—~~ *subsection 1.*

37 4. As used in this section, “tests of general educational development”
38 means examinations which enable persons who have not graduated from
39 high school to demonstrate that they have achieved an educational level
40 which is an acceptable substitute for completing a high school education.

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

42 386.605 1. On or before April 15 of each year, the governing body of
43 each charter school shall submit the information concerning the charter
44 school that is contained in the report required pursuant to subsection 2 of
45 NRS 385.347 to the:

46 (a) Governor;

47 (b) State board;

48 (c) Department;



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1 (d) Legislative committee on education created pursuant to NRS
2 218.5352; and

3 (e) Legislative bureau of educational accountability and program
4 evaluation created pursuant to NRS 218.5356.

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

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

12 ~~—(a) Prepare:~~

13 ~~—(1) A separate~~ *prepare a:*

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

16 ~~+(1)~~ (1) A review and analysis of the data upon which the report
17 required pursuant to subsection 2 of NRS 385.347 is based and a review
18 and analysis of any data that is more recent than the data upon which the
19 report is based; ~~and~~

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

22 ~~—(2) A written~~ ; and

23 (3) *A summary of the efforts that the governing body has made or*
24 *intends to make to ensure that the teachers and other educational*
25 *personnel employed by the governing body receive training and other*
26 *professional development in:*

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

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

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

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

43 ~~+(b) Submit~~

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

47 ~~+(1) Governor;~~

48 ~~—(2)~~ (a) *Governor;*

49 (b) *State board;*



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

2 ~~—[(4)] (c) Department;~~

3 (d) Legislative committee on education created pursuant to NRS
4 218.5352; and

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

7 ~~[(4)]~~ 5. The department shall maintain a record of the information that
8 it receives from each charter school pursuant to this section in such a
9 manner as will allow the department to create for each charter school a
10 yearly profile of information.

11 ~~[(5)]~~ 6. The governing body of each charter school shall ensure that a
12 copy of the written report and written procedure required pursuant to
13 ~~[(paragraph (a) of)]~~ subsection 3 is included with the final budget of the
14 charter school adopted by the governing body of the charter school
15 pursuant to the regulations of the department.

16 ~~[(6)]~~ 7. The legislative bureau of educational accountability and
17 program evaluation created pursuant to NRS 218.5356 may authorize a
18 person or entity with whom it contracts pursuant to NRS 385.359 to review
19 and analyze information submitted by charter schools pursuant to this
20 section, consult with the governing bodies of charter schools and submit
21 written reports concerning charter schools pursuant to NRS 385.359.

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

23 387.123 1. The count of pupils for apportionment purposes includes
24 all pupils who are enrolled in programs of instruction of the school district
25 or pupils who reside in the county in which the school district is located
26 and are enrolled in any charter school for:

27 (a) Pupils in the kindergarten department.

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

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

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

35 (e) Pupils who are enrolled in classes pursuant to subsection 4 of NRS
36 386.560.

37 (f) Pupils who are enrolled in classes pursuant to subsection 3 of NRS
38 392.070.

39 (g) ~~[(Part-time pupils)]~~ *Pupils who are* enrolled in classes and taking
40 courses necessary to receive a high school diploma, excluding those pupils
41 who are included in paragraphs (e) and (f).

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

45 (a) Shall divide the school year into 10 school months, each containing
46 20 or fewer school days.

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



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

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

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

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

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

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

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

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

25 387.1233 1. Except as otherwise provided in subsection 2, basic
26 support of each school district must be computed by:

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

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

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

39 (3) The count of pupils not included under subparagraph (1) or (2)
40 who are receiving special education pursuant to the provisions of NRS
41 388.440 to 388.520, inclusive, on the last day of the first school month of
42 the school district for the school year, excluding the count of pupils who
43 have not attained the age of 5 years and who are receiving special
44 education pursuant to subsection 1 of NRS 388.490 on that day.

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



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

5 (6) The count of pupils who are enrolled in classes for at least one
6 semester pursuant to subsection 4 of NRS 386.560 or subsection 3 of NRS
7 392.070, expressed as a percentage of the total time services are provided
8 to those pupils per school day in proportion to the total time services are
9 provided during a school day to pupils who are counted pursuant to
10 subparagraph (2).

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

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

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

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

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

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

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

37 387.303 1. Not later than November 10 of each year, the board of
38 trustees of each school district shall submit to the superintendent of public
39 instruction and the department of taxation a report which includes the
40 following information:

41 (a) For each fund within the school district, including, without
42 limitation, the school district's general fund and any special revenue fund
43 which receives state money, the total number and salaries of licensed and
44 nonlicensed persons whose salaries are paid from the fund and who are
45 employed by the school district in full-time positions or in part-time
46 positions added together to represent full-time positions. Information must
47 be provided for the current school year based upon the school district's
48 final budget, including any amendments and augmentations thereto, and for



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1 the preceding school year. An employee must be categorized as filling an
2 instructional, administrative, instructional support or other position.
3 (b) The count of pupils computed pursuant to paragraph (a) of
4 subsection 1 of NRS 387.1233.
5 (c) ~~[(The average daily attendance for the preceding school year and the~~
6 ~~estimated average daily attendance for the current school year of part time~~
7 ~~pupils enrolled in courses which are approved by the department as~~
8 ~~meeting the requirements for an adult to earn a high school diploma.~~
9 ~~—(d)]~~ The school district's actual expenditures in the fiscal year
10 immediately preceding the report.
11 ~~[(e)]~~ (d) The school district's proposed expenditures for the current
12 fiscal year.
13 ~~[(f)]~~ (e) The schedule of salaries for licensed employees in the current
14 school year and a statement of whether the negotiations regarding salaries
15 for the current school year have been completed. If the negotiations have
16 not been completed at the time the schedule of salaries is submitted, the
17 board of trustees shall submit a supplemental report to the superintendent
18 of public instruction upon completion of negotiations or the determination
19 of an arbitrator concerning the negotiations that includes the schedule of
20 salaries agreed to or required by the arbitrator.
21 ~~[(g)]~~ (f) The number of teachers who received an increase in salary
22 pursuant to subsection 2 of NRS 391.160 for the current and preceding
23 fiscal years.
24 ~~[(h)]~~ (g) The number of employees eligible for health insurance within
25 the school district for the current and preceding fiscal years and the amount
26 paid for health insurance for each such employee during those years.
27 ~~[(i)]~~ (h) The rates for fringe benefits, excluding health insurance, paid
28 by the school district for its licensed employees in the preceding and
29 current fiscal years.
30 ~~[(j)]~~ (i) The amount paid for extra duties, supervision of extracurricular
31 activities and supplemental pay and the number of employees receiving
32 that pay in the preceding and current fiscal years.
33 2. On or before November 25 of each year, the superintendent of
34 public instruction shall submit to the department of administration and the
35 fiscal analysis division of the legislative counsel bureau, in a format
36 approved by the director of the department of administration, a compilation
37 of the reports made by each school district pursuant to subsection 1.
38 3. The superintendent of public instruction shall, in the compilation
39 required by subsection 2, reconcile the revenues and expenditures of the
40 school districts with the apportionment received by those districts from the
41 state distributive school account for the preceding year.
42 **Sec. 14.** NRS 389.015 is hereby amended to read as follows:
43 389.015 1. The board of trustees of each school district shall
44 administer examinations in all public schools of the school district. The
45 governing body of a charter school shall administer the same examinations
46 in the charter school. The examinations administered by the board of
47 trustees and governing body must determine the achievement and
48 proficiency of pupils in:
49 (a) Reading;



- 1 (b) Writing;
- 2 (c) Mathematics; and
- 3 (d) Science.

4 2. The examinations required by subsection 1 must be:

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

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

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

12 (d) Scored by the department or a single private entity that has
13 contracted with the state board to score the examinations. If a private entity
14 scores the examinations, it shall report the results of the examinations in
15 the form and by the date required by the department.

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

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

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

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

38 4. Different standards of proficiency may be adopted for pupils with
39 diagnosed learning disabilities. If a pupil with a disability is unable to take
40 an examination created by a private entity under regular testing conditions
41 or with modifications and accommodations that are approved by the private
42 entity, the pupil may take the examination with modifications and
43 accommodations that are approved by the state board pursuant to
44 subsection 8. If a pupil with a disability is unable to take an examination
45 created by the department under regular testing conditions or with
46 modifications and accommodations that are approved by the department,
47 the pupil may take the examination with modifications and
48 accommodations that are approved by the state board pursuant to
49 subsection 8. The results of an examination that is taken under conditions



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1 that are not approved by a private entity or the department, as applicable,
2 must not be reported pursuant to subsection 2 of NRS 389.017. If different
3 standards of proficiency are adopted or other modifications or
4 accommodations are made in the administration of the examinations for a
5 pupil who is enrolled in a program of special education pursuant to NRS
6 388.440 to 388.520, inclusive, other than a gifted and talented pupil, the
7 different standards adopted or other modifications or accommodations
8 must be set forth in the pupil's program of special education developed in
9 accordance with the Individuals with Disabilities Education Act, 20 U.S.C.
10 §§ 1400 et seq., and the standards prescribed by the state board. During the
11 administration of the high school proficiency examination, a pupil with a
12 disability may be given additional time to complete the examination if the
13 additional time is a modification or accommodation that is approved in the
14 pupil's program of special education developed in accordance with the
15 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

16 5. If a pupil fails to demonstrate at least adequate achievement on the
17 examination administered before the completion of grade 4, 8 or 10, he
18 may be promoted to the next higher grade, but the results of his
19 examination must be evaluated to determine what remedial study is
20 appropriate. If such a pupil is enrolled at a school that has been designated
21 as demonstrating need for improvement pursuant to *subsection 1 of* NRS
22 385.367, the pupil must, in accordance with the requirements set forth in
23 this subsection, complete remedial study that is determined to be
24 appropriate for the pupil.

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

30 7. The state board shall prescribe standard examinations of
31 achievement and proficiency to be administered pursuant to subsection 1.
32 The examinations on reading, mathematics and science prescribed for
33 grades 4, 8 and 10 must be selected from examinations created by private
34 entities and administered to a national reference group, and must allow for
35 a comparison of the achievement and proficiency of pupils in grades 4, 8
36 and 10 in this state to that of a national reference group of pupils in grades
37 4, 8 and 10. The questions contained in the examinations and the approved
38 answers used for grading them are confidential, and disclosure is unlawful
39 except:

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

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

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

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

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



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

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

8 8. The state board shall prescribe, in accordance with the Individuals
9 with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., the
10 modifications and accommodations that may be used in the administration
11 of an examination to a pupil with a disability who is unable to take the
12 examination under regular testing conditions or with modifications and
13 accommodations that are approved by the private entity that created the
14 examination or, if the department created the examination, by the
15 department. These regulations may include, without limitation, authorizing
16 a pupil to complete an examination with additional time.

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

18 389.017 1. The state board shall prescribe regulations requiring that
19 each board of trustees of a school district and each governing body of a
20 charter school submit to the superintendent of public instruction and the
21 department, in the form and manner prescribed by the superintendent, the
22 results of achievement and proficiency examinations given in the 4th, 8th,
23 10th and 11th grades to public school pupils of the district and charter
24 schools. The state board shall not include in the regulations any provision
25 which would violate the confidentiality of the test scores of any individual
26 pupil.

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

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

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

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

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

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

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

45 (d) Are detained in a:

46 (1) Youth training center;

47 (2) Youth center;

48 (3) Juvenile forestry camp;

49 (4) Detention home;



- 1 (5) Youth camp;
- 2 (6) Juvenile correctional institution; or
- 3 (7) Correctional institution.

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

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

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

- 16 (a) The examination administered;
- 17 (b) The grade level or levels of pupils to whom the examination was
18 administered;

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

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

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

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

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

38 (b) He is enrolled in a program of special education pursuant to NRS
39 388.440 to 388.520, inclusive, and his program of special education
40 specifies that he is exempt from taking the examinations.

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

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

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



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

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

6 389.020 1. In all public schools, the Caliente youth center and the
7 Nevada youth training center, instruction must be given in American
8 government, including ~~{but not limited to the essentials}~~ , *without*
9 *limitation, the:*

10 (a) *Essentials* of the :

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

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

14 (3) *Declaration of Independence;*

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

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

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

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

21 389.030 American history, including , *without limitation,* the history
22 of the :

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

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

27 3. *Declaration of Independence,*

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

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

31 389.560 1. The state board shall adopt regulations that require the
32 board of trustees of each school district and the governing body of each
33 charter school to submit to the superintendent of public instruction, the
34 department and the council, in the form and manner prescribed by the
35 superintendent, the results of the examinations administered pursuant to
36 NRS 389.550. The state board shall not include in the regulations any
37 provision that would violate the confidentiality of the test scores of an
38 individual pupil.

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

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

45 (b) The percentage of pupils who have demonstrated proficiency, as
46 defined by the department, and took the examinations with modifications
47 or accommodations approved by the private entity that created the
48 examination or, if the department created the examination, the department,



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1 if such reporting does not violate the confidentiality of the test scores of
2 any individual pupil.

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

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

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

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

11 (d) Are detained in a:

12 (1) Youth training center;

13 (2) Youth center;

14 (3) Juvenile forestry camp;

15 (4) Detention home;

16 (5) Youth camp;

17 (6) Juvenile correctional institution; or

18 (7) Correctional institution.

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

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

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

30 (a) The examination administered;

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

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

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

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

41 6. The superintendent of schools of each school district and the
42 governing body of each charter school shall certify that the number of
43 pupils who took the examinations is equal to the number of pupils who are
44 enrolled in each school in the school district or in the charter school who
45 are required to take the examinations, except for those pupils who are
46 exempt from taking the examinations. A pupil may be exempt from taking
47 the examinations if:

48 (a) His primary language is not English and his proficiency in the
49 English language is below the level that the state board determines is



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1 proficient, as measured by an assessment of proficiency in the English
2 language prescribed by the state board pursuant to subsection 8; or

3 (b) He is enrolled in a program of special education pursuant to NRS
4 388.440 to 388.520, inclusive, and his program of special education
5 specifies that he is exempt from taking the examinations.

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

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

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

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

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

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

24 **Sec. 20.** This act becomes effective on July 1, 2001.

