

ASSEMBLY BILL NO. 279—ASSEMBLYMEN GIUNCHIGLIANI,
CONKLIN, DENIS, HOGAN, HORNE, KOIVISTO AND
OHRENSCHALL

MARCH 21, 2005

Referred to Committee on Education

SUMMARY—Revises provisions governing education.
(BDR 34-864)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included
in Executive Budget.

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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 public education; changing the name of the State Board for Occupational Education to the State Board for Career and Technical Education; changing the term “occupational education” to “career and technical education”; requiring each school district to establish and maintain a program of career and technical education in accordance with the regulations adopted by the State Board for Career and Technical Education; establishing career and technical education diplomas; authorizing a school district to hire certain persons with technical expertise to assist with classroom instruction for a program of career and technical education; requiring school districts to schedule start times for public schools in a certain manner; authorizing school districts and charter schools to request permission from the Board of Regents of the University of Nevada for high school teachers to teach dual-credit courses; authorizing teachers to submit evaluations of principals; revising various provisions governing pupils; making an appropriation; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

Existing law creates the State Board for Occupational Education and establishes the requirements for occupational education in public schools within the State. (NRS 388.330-388.400)

This bill renames the State Board for Occupational Education to the State Board for Career and Technical Education and redesignates occupational education as career and technical education. This bill requires each school district to establish and maintain a program of career and technical education in accordance with the requirements of the Board. Each program must include an internship program developed in cooperation with the State Apprenticeship Council which allows pupils to work as apprentices in business settings.

This bill establishes career and technical education diplomas. An advanced career and technical education diploma is awarded to a pupil who successfully completes a career and technical education program and passes all portions of the high school proficiency examination. A standard career and technical education diploma is awarded to a pupil who successfully completes a career and technical education diploma and who receives at least the average score prescribed by the State Board for Career and Technical Education on the high school proficiency examination. The average score must be derived by combining all portions of the examination rather than requiring a passing score on each portion.

This bill authorizes a school district to employ a person who is not a licensed teacher to assist with instruction in a career and technical education program if the person holds a master's degree in the field in which he will assist with instruction and he does not assist with instruction for more than 25 percent of a course. A person must undergo a criminal background check before he may be employed.

Existing law requires each school district to schedule 180 days of free school per school year. (NRS 388.090)

This bill requires a school district to schedule the school day so that pupils are not required or authorized to attend public school before 8:00 a.m. In addition, all elementary schools must begin the school day before all middle schools and high schools and all middle schools must begin the school day before all high schools. If a school district does not comply with these scheduling requirements by the beginning of the 2006-2007 school year, 5 percent of its basic support allocation from the State Distributive School Account must be withheld.

Existing law authorizes high school pupils to earn credit towards graduation from high school for courses taken at a community college or university within the University and Community College System of Nevada. (NRS 389.160)

This bill authorizes school districts and charter schools to request permission from the Board of Regents for certain high school teachers to provide instruction for the dual-credit courses offered in which a pupil earns high school credit and college credit for the same course.

Existing law requires each school district to develop an objective policy for the evaluation of administrators employed by the school district. (NRS 391.3127)

This bill amends existing law to provide that teachers employed at a school where an administrator is employed may submit an evaluation for inclusion in the formal evaluation of the administrator.

This bill makes an appropriation of \$250,000 to the Department of Education to provide grants of money to pay registration fees and other costs of pupils who are enrolled in dual-credit courses in which high school credit and college credit may be earned for the same course.



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

1 **Section 1.** NRS 385.010 is hereby amended to read as follows:

2 385.010 1. A Department of Education is hereby created.

3 2. The Department consists of the State Board of Education,
4 the State Board for ~~{Occupational}~~ *Career and Technical* Education
5 and the Superintendent of Public Instruction.

6 3. The Superintendent of Public Instruction is the executive
7 head of the Department.

8 **Sec. 2.** NRS 385.3469 is hereby amended to read as follows:

9 385.3469 1. The State Board shall prepare an annual report
10 of accountability that includes, without limitation:

11 (a) Information on the achievement of all pupils based upon the
12 results of the examinations administered pursuant to NRS 389.015
13 and 389.550, reported for each school district, including, without
14 limitation, each charter school in the district, and for this State as a
15 whole.

16 (b) Except as otherwise provided in subsection 2, pupil
17 achievement, reported separately by gender and reported separately
18 for the following subgroups of pupils:

19 (1) Pupils who are economically disadvantaged, as defined
20 by the State Board;

21 (2) Pupils from major racial and ethnic groups, as defined by
22 the State Board;

23 (3) Pupils with disabilities;

24 (4) Pupils who are limited English proficient; and

25 (5) Pupils who are migratory children, as defined by the State
26 Board.

27 (c) A comparison of the achievement of pupils in each subgroup
28 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
29 annual measurable objectives of the State Board.

30 (d) The percentage of all pupils who were not tested, reported
31 for each school district, including, without limitation, each charter
32 school in the district, and for this State as a whole.

33 (e) Except as otherwise provided in subsection 2, the percentage
34 of pupils who were not tested, reported separately by gender and
35 reported separately for the subgroups identified in paragraph (b).

36 (f) The most recent 3-year trend in the achievement of pupils in
37 each subject area tested and each grade level tested pursuant to NRS
38 389.015 and 389.550, reported for each school district, including,
39 without limitation, each charter school in the district, and for this
40 State as a whole, which may include information regarding the trend
41 in the achievement of pupils for more than 3 years, if such
42 information is available.



(g) Information on whether each school district has made adequate yearly progress, including, without limitation, the name of each school district, if any, designated as demonstrating need for improvement pursuant to NRS 385.377 and the number of consecutive years that the school district has carried that designation.

(h) Information on whether each public school, including, without limitation, each charter school, has made adequate yearly progress, including, without limitation, the name of each public school, if any, designated as demonstrating need for improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation.

(i) Information on the results of pupils who participated in the examinations of the National Assessment of Educational Progress required pursuant to NRS 389.012.

(j) The ratio of pupils to teachers in kindergarten and at each grade level for all elementary schools, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school, reported for each school district and for this State as a whole.

(k) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, information on the professional qualifications of teachers employed by the school districts and charter schools, including, without limitation:

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;

(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, in this State that are not taught by highly qualified teachers; and

(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, in this State that are not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools, which for the purposes of this subparagraph, means schools in the top quartile of poverty and the bottom quartile of poverty in this State.



(l) The total expenditure per pupil for each school district in this State, including, without limitation, each charter school in the district. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

(m) The total statewide expenditure per pupil. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

(n) For all elementary schools, junior high schools and middle schools, the rate of attendance, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(o) The annual rate of pupils who drop out of school in grades 9 to 12, inclusive, reported for each school district, including, without limitation, each charter school in the district, and for this State 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.

(p) The attendance of teachers who provide instruction, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(q) Incidents involving weapons or violence, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(r) Incidents involving the use or possession of alcoholic beverages or controlled substances, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(s) The suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(t) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, reported for each school



1 district, including, without limitation, each charter school in the
2 district, and for this State as a whole.

3 (u) The number of pupils in each grade who are retained in the
4 same grade pursuant to NRS 392.033 or 392.125, reported for each
5 school district, including, without limitation, each charter school in
6 the district, and for this State as a whole.

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

14 (w) Each source of funding for this State to be used for the
15 system of public education.

16 (x) The amount and sources of money received by this State for
17 remedial education.

18 (y) The percentage of pupils who graduated from a high school
19 or charter school in the immediately preceding year and enrolled in
20 remedial courses in reading, writing or mathematics at a university
21 or community college within the University and Community
22 College System of Nevada, reported for each school district,
23 including, without limitation, each charter school in the district, and
24 for this State as a whole.

25 (z) The technological facilities and equipment available for
26 educational purposes, reported for each school district, including,
27 without limitation, each charter school in the district, and for this
28 State as a whole.

29 (aa) For each school district, including, without limitation, each
30 charter school in the district, and for this State as a whole, the
31 number and percentage of pupils who received:

32 (1) A standard high school diploma.

33 (2) *An advanced career and technical education diploma.*

34 (3) *A standard career and technical education diploma.*

35 (4) An adjusted diploma.

36 ~~(3)~~ (5) A certificate of attendance.

37 (bb) The number and percentage of pupils who did not receive a
38 high school diploma because the pupils failed to pass the high
39 school proficiency examination, reported for each school district,
40 including, without limitation, each charter school in the district, and
41 for this State as a whole.

42 (cc) The number of habitual truants who are reported to a school
43 police officer or local law enforcement agency pursuant to
44 paragraph (a) of subsection 2 of NRS 392.144 and the number of
45 habitual truants who are referred to an advisory board to review



1 school attendance pursuant to paragraph (b) of subsection 2 of NRS
2 392.144, reported for each school district, including, without
3 limitation, each charter school in the district, and for this State as a
4 whole.

5 (dd) Information on the paraprofessionals employed at public
6 schools in this State, including, without limitation, the charter
7 schools in this State. The information must include:

8 (1) The number of paraprofessionals employed, reported for
9 each school district, including, without limitation, each charter
10 school in the district, and for this State as a whole; and

11 (2) For each school district, including, without limitation,
12 each charter school in the district, and for this State as a whole, the
13 number and percentage of all paraprofessionals who do not satisfy
14 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
15 requirements of this subparagraph apply to paraprofessionals who
16 are employed in programs supported with Title I money and to
17 paraprofessionals who are not employed in programs supported with
18 Title I money.

19 (ee) An identification of appropriations made by the Legislature
20 to improve the academic achievement of pupils and programs
21 approved by the Legislature to improve the academic achievement
22 of pupils.

23 2. A separate reporting for a subgroup of pupils must not be
24 made pursuant to this section if the number of pupils in that
25 subgroup is insufficient to yield statistically reliable information or
26 the results would reveal personally identifiable information about an
27 individual pupil. The State Board shall prescribe a mechanism for
28 determining the minimum number of pupils that must be in a
29 subgroup for that subgroup to yield statistically reliable information.

30 3. The annual report of accountability must:

31 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
32 adopted pursuant thereto;

33 (b) Be prepared in a concise manner; and

34 (c) Be presented in an understandable and uniform format and,
35 to the extent practicable, provided in a language that parents can
36 understand.

37 4. On or before September 1 of each year, the State Board shall
38 provide for public dissemination of the annual report of
39 accountability and submit a copy of the report to the:

40 (a) Governor;

41 (b) Committee;

42 (c) Bureau;

43 (d) Board of Regents of the University of Nevada;

44 (e) Board of trustees of each school district; and

45 (f) Governing body of each charter school.



1 5. As used in this section:

2 (a) "Highly qualified" has the meaning ascribed to it in 20
3 U.S.C. § 7801(23).

4 (b) "Paraprofessional" has the meaning ascribed to it in
5 NRS 391.008.


6 **Sec. 3.** NRS 385.347 is hereby amended to read as follows:


7 385.347 1. The board of trustees of each school district in
8 this State, in cooperation with associations recognized by the State
9 Board as representing licensed personnel in education in the district,
10 shall adopt a program providing for the accountability of the school
11 district to the residents of the district and to the State Board for the
12 quality of the schools and the educational achievement of the pupils
13 in the district, including, without limitation, pupils enrolled in
14 charter schools in the school district. The board of trustees of a
15 school district shall report the information required by subsection 2
16 for each charter school within the school district, regardless of the
17 sponsor of the charter school.


18 2. The board of trustees of each school district shall, on or
19 before August 15 of each year, prepare an annual report of
20 accountability concerning:

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

22 (b) Pupil achievement for each school in the district and the
23 district as a whole, including, without limitation, each charter school
24 in the district. The board of trustees of the district shall base its
25 report on the results of the examinations administered pursuant to
26 NRS 389.015 and 389.550 and shall compare the results of those
27 examinations for the current school year with those of previous
28 school years. The report must include, for each school in the district,
29 including, without limitation, each charter school in the district, and
30 each grade in which the examinations were administered:

31 (1) The number of pupils who took the examinations. 

32 (2) An explanation of instances in which a school was
33 exempt from administering or a pupil was exempt from taking an
34 examination. 

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

39 (4) Except as otherwise provided in this paragraph, pupil
40 achievement, reported separately by gender and reported separately
41 for the following subgroups of pupils:

42 (I) Pupils who are economically disadvantaged, as
43 defined by the State Board;

44 (II) Pupils from major racial and ethnic groups, as defined
45 by the State Board;



- 1 (III) Pupils with disabilities;
- 2 (IV) Pupils who are limited English proficient; and
- 3 (V) Pupils who are migratory children, as defined by the
- 4 State Board . ~~(f)~~

5 (5) A comparison of the achievement of pupils in each

6 subgroup identified in paragraph (b) of subsection 1 of NRS

7 385.361 with the annual measurable objectives of the State Board .

8 ~~(f)~~

9 (6) The percentage of pupils who were not tested . ~~(f)~~

10 (7) Except as otherwise provided in this paragraph, the

11 percentage of pupils who were not tested, reported separately by

12 gender and reported separately for the subgroups identified in

13 subparagraph (4) . ~~(f)~~

14 (8) The most recent 3-year trend in pupil achievement in

15 each subject area tested and each grade level tested pursuant to NRS

16 389.015 and 389.550, which may include information regarding the

17 trend in the achievement of pupils for more than 3 years, if such

18 information is available . ~~(f)~~

19 (9) Information that compares the results of pupils in the

20 school district, including, without limitation, pupils enrolled in

21 charter schools in the district, with the results of pupils throughout

22 this State. The information required by this subparagraph must be

23 provided in consultation with the Department to ensure the accuracy

24 of the comparison . ~~(f; and)~~

25 (10) For each school in the district, including, without

26 limitation, each charter school in the district, information that

27 compares the results of pupils in the school with the results of pupils

28 throughout the school district and throughout this State. The

29 information required by this subparagraph must be provided in

30 consultation with the Department to ensure the accuracy of the

31 comparison.

32 ➔ A separate reporting for a subgroup of pupils must not be made

33 pursuant to this paragraph if the number of pupils in that subgroup is

34 insufficient to yield statistically reliable information or the results

35 would reveal personally identifiable information about an individual

36 pupil. The State Board shall prescribe the mechanism for

37 determining the minimum number of pupils that must be in a

38 subgroup for that subgroup to yield statistically reliable information.

39 (c) The ratio of pupils to teachers in kindergarten and at each

40 grade level for each elementary school in the district and the district

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

42 district, and the average class size for each core academic subject, as

43 set forth in NRS 389.018, for each secondary school in the district

44 and the district as a whole, including, without limitation, each

45 charter school in the district.



(d) Information on the professional qualifications of teachers employed by each school in the district and the district as a whole, including, without limitation, each charter school in the district. The information must include, without limitation:

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;

(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers; and

(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools, which for the purposes of this subparagraph, means schools in the top quartile of poverty and the bottom quartile of poverty in this State.

(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. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

(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:

(1) 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.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school in the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The



1 information required by this subparagraph must be provided in
2 consultation with the Department to ensure the accuracy of the
3 comparison.

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

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

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

12 (3) Withdraw from school to attend another school.

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

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

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

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

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

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

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

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

38 (o) The number of pupils in each grade who are retained in the
39 same grade pursuant to NRS 392.033 or 392.125, for each school in
40 the district and the district as a whole, including, without limitation,
41 each charter school in the district.

42 (p) The transiency rate of pupils for each school in the district
43 and the district as a whole, including, without limitation, each
44 charter school in the district. For the purposes of this paragraph, a
45 pupil is not transient if he is transferred to a different school



1 within the school district as a result of a change in the zone of
2 attendance by the board of trustees of the school district pursuant to
3 NRS 388.040.

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

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

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

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

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

21 (1) A standard high school diploma.

22 (2) *An advanced career and technical education diploma.*

23 (3) *A standard career and technical education diploma.*

24 (4) An adjusted diploma.

25 ~~(3)~~ (5) A certificate of attendance.

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

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

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

42 (y) Whether the school district has made adequate yearly
43 progress. If the school district has been designated as demonstrating
44 need for improvement pursuant to NRS 385.377, the report must



1 include a statement indicating the number of consecutive years the
2 school district has carried that designation.

3 (z) Information on whether each public school in the district,
4 including, without limitation, each charter school in the district, has
5 made adequate yearly progress, including, without limitation:

6 (1) The number and percentage of schools in the district, if
7 any, that have been designated as needing improvement pursuant to
8 NRS 385.3623; and

9 (2) The name of each school, if any, in the district that has
10 been designated as needing improvement pursuant to NRS 385.3623
11 and the number of consecutive years that the school has carried that
12 designation.

13 (aa) Information on the paraprofessionals employed by each
14 public school in the district, including, without limitation, each
15 charter school in the district. The information must include:

16 (1) The number of paraprofessionals employed at the school;
17 and

18 (2) The number and percentage of all paraprofessionals who
19 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c).
20 The reporting requirements of this subparagraph apply to
21 paraprofessionals who are employed in positions supported with
22 Title I money and to paraprofessionals who are not employed in
23 positions supported with Title I money.

24 (bb) For each high school in the district, including, without
25 limitation, each charter school that operates as a high school,
26 information that provides a comparison of the rate of graduation of
27 pupils enrolled in the high school with the rate of graduation of
28 pupils throughout the district and throughout this State. The
29 information required by this paragraph must be provided in
30 consultation with the Department to ensure the accuracy of the
31 comparison.

32 (cc) An identification of the appropriations made by the
33 Legislature that are available to the school district or the schools
34 within the district and programs approved by the Legislature to
35 improve the academic achievement of pupils.

36 (dd) Such other information as is directed by the Superintendent
37 of Public Instruction.

38 3. The records of attendance maintained by a school for
39 purposes of paragraph (i) of subsection 2 must include the number
40 of teachers who are in attendance at school and the number of
41 teachers who are absent from school. A teacher shall be deemed in
42 attendance if the teacher is excused from being present in the
43 classroom by the school in which he is employed for one of the
44 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 annual report of accountability prepared pursuant to subsection 2 must:

(a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations adopted pursuant thereto; and

(b) Be presented in an understandable and uniform format and to the extent practicable, provided in a language that parents can understand.

5. 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 throughout this State.

(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 Teacher 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.

6. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

7. On or before April 1 of each year, the board of trustees of each school district shall submit to:

(a) 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.

(b) The Commission on Educational Technology created by NRS 388.790 the information prepared by the board of trustees pursuant to paragraph (t) of subsection 2.

8. On or before August 15 of each year, the board of trustees of each school district shall:

(a) Submit the report required pursuant to subsection 2 to the:



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

(b) Provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) to the schools in the school district, including, without limitation, each charter school in the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school in the district.

9. As used in this section:

(a) "Highly qualified" has the meaning ascribed to it in 20 U.S.C. § 7801(23).

(b) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 4. NRS 387.050 is hereby amended to read as follows:

387.050 1. The State of Nevada accepts the provisions of, and all of the money provided by, the Vocational Education Act of 1963, and any amendments thereof or supplements thereto.

2. In addition to the provisions of subsection 1, the State Board for ~~{Occupational}~~ *Career and Technical* Education may accept, and adopt regulations or establish policies for the disbursement of, money appropriated by any Act of Congress and apportioned to the State of Nevada for use in connection with the program for ~~{Occupational}~~ *career and technical* education.

3. In accepting the benefits of the Acts of Congress referred to in subsections 1 and 2, the State of Nevada agrees to comply with all of their provisions and to observe all of their requirements.

4. The State Treasurer is designated custodian of all money received by the State of Nevada from the appropriations made by the Acts of Congress referred to in subsections 1 and 2, and he may receive and provide for the proper custody thereof and make disbursements therefrom in the manner provided in the acts and for the purposes therein specified on warrants of the State Controller issued upon the order of the Executive Officer of the State Board for ~~{Occupational}~~ *Career and Technical* Education.

5. On warrants of the State Controller issued upon the order of the Executive Officer of the State Board for ~~{Occupational}~~ *Career and Technical* Education pursuant to regulations or policies of the Board, the State Treasurer shall also pay out any money appropriated by the State of Nevada to carry out the provisions of this section.



1 **Sec. 5.** Chapter 388 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 6 to 9, inclusive, of this
3 act.

4 **Sec. 6.** *The board of trustees of each school district shall:*

5 1. *Ensure that the public schools within the school district,*
6 *excluding charter schools, do not require or authorize pupils to be*
7 *in attendance for the beginning of the school day before 8 a.m.*

8 2. *Schedule the school day for the public schools within the*
9 *school district, excluding charter schools, in the following*
10 *manner:*

11 (a) *All elementary schools must begin the school day before all*
12 *middle schools, junior high schools and high schools.*

13 (b) *All middle schools and junior high schools must begin the*
14 *school day before all high schools.*

15 **Sec. 7.** 1. *The board of trustees of each school district shall*
16 *develop, in cooperation with the State Apprenticeship Council and*
17 *a local business council, if one exists, an internship program for*
18 *pupils enrolled in a program of career and technical education*
19 *within the school district.*

20 2. *The internship program must:*

21 (a) *Be designed:*

22 (1) *For pupils enrolled in grades 11 and 12, but may be*
23 *offered to pupils enrolled in grades 9 and 10 upon the approval of*
24 *the principal of the school where the program is offered.*

25 (2) *To prepare and train pupils to work as apprentices in*
26 *business settings.*

27 (b) *Allow a pupil to earn academic credit for an internship.*

28 3. *An internship program developed pursuant to this section*
29 *may offer paid or unpaid internships.*

30 4. *A pupil who participates in an internship program*
31 *developed pursuant to this section is not an employee of the entity*
32 *with which the pupil interns.*

33 **Sec. 8.** 1. *A pupil may receive a high school diploma*
34 *designated as an advanced career and technical education*
35 *diploma if he:*

36 (a) *Completes a program of career and technical education;*

37 (b) *Passes all portions of the high school proficiency*
38 *examination administered pursuant to NRS 389.015 with at least*
39 *the passing score prescribed by the State Board of Education for*
40 *each portion; and*

41 (c) *Otherwise satisfies the requirements for graduation from*
42 *high school.*

43 2. *A pupil may receive a high school diploma designated as a*
44 *standard career and technical education diploma if he:*

45 (a) *Completes a program of career and technical education;*



1 (b) *Receives at least the average score prescribed by the*
2 *State Board for Career and Technical Education pursuant to*
3 *subsection 3 on the high school proficiency examination*
4 *administered pursuant to NRS 389.015; and*

5 (c) *Otherwise satisfies the requirements for graduation from*
6 *high school.*

7 3. *The State Board for Career and Technical Education shall*
8 *adopt regulations that prescribe the average score a pupil must*
9 *receive on the high school proficiency examination to receive a*
10 *standard career and technical education diploma. The average*
11 *score must be derived by combining all portions of the*
12 *examination, rather than prescribing a score for each portion.*

13 **Sec. 9.** 1. *The board of trustees of a school district may*
14 *employ a person who is not a licensed teacher to assist with*
15 *instruction in a program of career and technical education*
16 *established pursuant to NRS 388.380 if:*

17 (a) *The person has at least 5 years of experience working in a*
18 *technical field for which he will assist with instruction; and*

19 (b) *The Superintendent of Public Instruction determines that*
20 *the person is eligible for employment pursuant to subsection 4.*

21 2. *If the board of a trustees of a school district employs a*
22 *person pursuant to this section:*

23 (a) *The person may assist with not more than 25 percent of the*
24 *instruction provided for a course during one semester;*

25 (b) *The person must be under the direction and supervision of*
26 *a licensed teacher; and*

27 (c) *The provisions of NRS 391.273 regarding the supervision*
28 *of unlicensed personnel apply.*

29 3. *A person who wishes to be employed pursuant to*
30 *subsection 1 shall submit to the Superintendent of Public*
31 *Instruction a complete set of his fingerprints and written*
32 *permission authorizing the Superintendent to forward the*
33 *fingerprints to the Central Repository for Nevada Records of*
34 *Criminal History for submission to the Federal Bureau of*
35 *Investigation for its report on the criminal history of the person.*

36 4. *A person may be employed pursuant to this section if the*
37 *report on the criminal history of the person:*

38 (a) *Does not indicate that the person has been convicted of a*
39 *felony or any offense involving moral turpitude; or*

40 (b) *Indicates that the person has been convicted of a felony or*
41 *an offense involving moral turpitude but the Superintendent of*
42 *Public Instruction determines that the conviction is unrelated to*
43 *the position which the person seeks.*

44 5. *A person employed pursuant to this section is not entitled*
45 *to the benefits, rights and privileges conferred by statutes and*



1 *regulations on the licensed educational personnel of a school*
2 *district.*

3 **Sec. 10.** NRS 388.330 is hereby amended to read as follows:

4 388.330 The State Board for ~~{Occupational}~~ *Career and*
5 *Technical* Education consists of the members of the State Board of
6 Education.

7 **Sec. 11.** NRS 388.340 is hereby amended to read as follows:

8 388.340 1. The Superintendent of Public Instruction shall
9 serve as Executive Officer of the State Board for ~~{Occupational}~~
10 *Career and Technical* Education.

11 2. The Executive Officer shall:

12 (a) Employ personnel for such positions as are approved by the
13 State Board for ~~{Occupational}~~ *Career and Technical* Education
14 and *as are* necessary to carry out properly the provisions of this title
15 relating to ~~{occupational}~~ *career and technical* education.

16 (b) Carry into effect the regulations of the State Board for
17 ~~{Occupational}~~ *Career and Technical* Education.

18 (c) Maintain an office for the Board.

19 (d) Keep all records of the Board in the office of the Board.

20 **Sec. 12.** NRS 388.350 is hereby amended to read as follows:

21 388.350 The State Board for ~~{Occupational}~~ *Career and*
22 *Technical* Education may hold at least four meetings regularly in
23 each year at the State Capital, coincident with the meetings of the
24 State Board of Education.

25 **Sec. 13.** NRS 388.360 is hereby amended to read as follows:

26 388.360 The State Board for ~~{Occupational}~~ *Career and*
27 *Technical* Education may:

28 1. Cooperate with any federal agency, board or department
29 designated to administer the Acts of Congress apportioning federal
30 money to the State of Nevada for ~~{occupational}~~ *career and*
31 *technical* education.

32 2. Establish policies and adopt regulations for the
33 administration of any legislation enacted pursuant thereto by the
34 State of Nevada.

35 3. Establish policies and adopt regulations for the
36 administration of money provided by the Federal Government and
37 the State of Nevada for the promotion, extension and improvement
38 of ~~{occupational}~~ *career and technical* education in Nevada.

39 4. Establish policies or regulations and formulate plans for the
40 promotion of ~~{occupational}~~ *career and technical* education in such
41 subjects as are an essential and integral part of the system of public
42 education in the State of Nevada.

43 5. Establish policies to provide for the preparation of teachers
44 of such programs and subjects.



6. Approve positions for such persons as may be necessary to administer the federal act and provisions of this title enacted pursuant thereto for the State of Nevada.

7. Direct its Executive Officer to make studies and investigations relating to ~~{occupational}~~ *career and technical* education.

8. Establish policies to promote and aid in the establishment by local communities of schools, departments or classes giving training in ~~{occupational}~~ *career and technical* subjects.

9. Cooperate with local communities in the maintenance of such schools, departments or classes.

10. Prescribe qualifications for the teachers, directors and supervisors of ~~{occupational}~~ *career and technical* subjects.

11. Provide for the certification of such teachers, directors and supervisors.

12. Establish policies or regulations to cooperate in the maintenance of classes supported and controlled by the public for the preparation of the teachers, directors and supervisors of ~~{occupational}~~ *career and technical* subjects, or maintain such classes under its own direction and control.

13. Establish by regulation the qualifications required for persons engaged in the training of ~~{occupational teachers.}~~ *teachers for career and technical education.*

Sec. 14. NRS 388.365 is hereby amended to read as follows:

388.365 1. All gifts of money which the State Board for ~~{Occupational}~~ *Career and Technical* Education is authorized to accept must be deposited in a permanent trust fund in the State Treasury designated as the Gift Fund for ~~{Occupational}~~ *Career and Technical* Education.

2. The money available in the Fund must be used only for the purpose specified by the donor, within the scope of the Board's powers and duties. The Board may adopt regulations or establish policies for the disbursement of money from the Fund in accordance with the terms of the gift or bequest on warrants of the State Controller issued upon the orders of the Executive Officer of the ~~{State Board for Occupational Education.}~~ *Board.* Any expenditures pursuant to this section may include matching state and federal money available for ~~{occupational}~~ *career and technical* education.

3. If all or part of the money accepted by the Board from a donor is not expended before the end of the fiscal year in which the gift was accepted, the remaining balance of the amount donated must remain in the Fund until needed for the purpose specified by the donor.



Sec. 15. NRS 388.370 is hereby amended to read as follows:

388.370 The Executive Officer of the State Board for ~~[Occupational]~~ *Career and Technical* Education shall make a report biennially to the Governor.

Sec. 16. NRS 388.380 is hereby amended to read as follows:

388.380 1. Except as otherwise provided in subsection 2, the board of trustees of ~~[a]~~ *each* school district ~~[in a county whose population is 100,000 or more shall and any other board of trustees of a school district may:]~~ *shall:*

(a) Establish and maintain ~~[occupational schools or classes]~~ *a program of career and technical education* giving instruction in the subjects approved by the State Board for ~~[Occupational]~~ *Career and Technical* Education.

(b) Raise and expend money for the establishment and maintenance of ~~[occupational schools or classes:]~~ *the program of career and technical education.*

2. The board of trustees of each school district shall incorporate into the ~~[curriculum:~~

~~—(a) Occupational guidance]~~ *program of career and technical education:*

(a) *Guidance* and counseling in *career and technical education* in accordance with NRS 389.180. ~~[: and]~~

(b) Technology.

(c) *An internship program developed pursuant to section 7 of this act.*

3. *The governing body of a charter school may establish and maintain a program of career and technical education in accordance with this section.*

Sec. 17. NRS 388.390 is hereby amended to read as follows:

388.390 ~~[If the]~~ *The* board of trustees of ~~[a]~~ *each* school district ~~[or]~~ *and* the governing body of ~~[a]~~ *each* charter school *that* organizes a ~~[school or classes for occupational]~~ *program of career and technical* education in accordance with the regulations adopted by the State Board for ~~[Occupational Education and the school or classes have]~~ *Career and Technical Education which has* been approved by the ~~[Executive Officer of the State Board for Occupational Education, the school district or the charter school]~~ *Board* is entitled to share in federal and state money available for the promotion of ~~[occupational]~~ *career and technical* education in the amount determined by the Executive Officer of the ~~[State Board for Occupational Education,]~~ *Board*, in accordance with the regulations and policies of the Board.

Sec. 18. NRS 388.400 is hereby amended to read as follows:

388.400 1. The money for ~~[occupational]~~ *career and technical* education must be provided for and raised in the manner



1 specified in NRS 387.050 and 388.330 to 388.400, inclusive ~~H~~ ,
2 *and sections 7, 8 and 9 of this act.*

3 2. The State Treasurer is the custodian of the money and shall
4 make disbursements therefrom on warrants of the State Controller
5 issued upon the order of the Executive Officer of the State Board for
6 ~~{Occupational}~~ *Career and Technical* Education.

7 **Sec. 19.** NRS 388.537 is hereby amended to read as follows:

8 388.537 1. The board of trustees of a school district may,
9 subject to the approval of the State Board, operate an alternative
10 program for the education of pupils at risk of dropping out of high
11 school, including pupils who:

12 (a) Because of extenuating circumstances, such as their being
13 pregnant, parents, chronically ill or self-supporting, are not able to
14 attend the classes of instruction regularly provided in high school;

15 (b) Are deficient in the amount of academic credit necessary to
16 graduate with pupils their same age;

17 (c) Are chronically absent from high school; or

18 (d) Require instruction on a more personal basis than that
19 regularly provided in high school.

20 2. An alternative program may include:

21 (a) A shorter school day, and an opportunity for pupils to attend
22 a longer school day, than that regularly provided in high school.

23 (b) An opportunity for pupils to attend classes of instruction
24 during any part of the calendar year.

25 (c) A comprehensive curriculum that includes elective classes of
26 instruction and ~~{occupational}~~ *career and technical* education.

27 (d) An opportunity for pupils to obtain academic credit through
28 experience gained at work or while engaged in other activities.

29 (e) An opportunity for pupils to satisfy either:

30 (1) The requirements for a regular high school diploma; or

31 (2) The requirements for a high school diploma for adults.

32 (f) The provision of child care for the children of pupils.

33 (g) The transportation of pupils to and from classes of
34 instruction.

35 (h) The temporary placement of pupils for independent study, if
36 there are extenuating circumstances which prevent those pupils from
37 attending the alternative program on a daily basis.

38 3. The board of trustees of a school district may operate an
39 alternative program pursuant to this section through a program of
40 distance education pursuant to NRS 388.820 to 388.874, inclusive.

41 **Sec. 20.** NRS 388.575 is hereby amended to read as follows:

42 388.575 1. The Department of Education, after consulting
43 with the Department of Corrections, shall:

44 (a) Adopt regulations that establish a statewide program of
45 education for incarcerated persons; and



(b) Coordinate with and assist school districts in operating programs of education for incarcerated persons.

2. The statewide program may include courses of study for:

(a) A high school diploma;

(b) Basic literacy;

(c) English as a second language;

(d) General educational development;

(e) Life skills;

(f) ~~Occupational~~ *Career and technical* education; and

(g) Postsecondary education.

3. The statewide program does not include the programs of general education, vocational education and training established by the Board of State Prison Commissioners pursuant to NRS 209.389.

4. The statewide program must establish:

(a) Standards for each course of study that set forth the:

(1) Curriculum;

(2) Qualifications for entry; and

(3) Evaluation of incarcerated persons for placement; and

(b) Procedures to ensure that an incarcerated person who earns credits in a program of education for incarcerated persons operated by a school district at a facility or institution shall, if transferred to a different facility or institution, transfer those credits to the program operated by a school district at that facility or institution.

5. As used in this section, "general educational development" means preparation for and administration of the standardized examinations that enable persons who have not graduated from high school to demonstrate that they have achieved an educational level which denotes competency in core curriculum. The term includes programs for obtaining a general educational development certificate.

Sec. 21. NRS 388.635 is hereby amended to read as follows:

388.635 Each center shall provide:

1. Counseling services specifically designed for the counseling of a displaced homemaker with respect to appropriate employment, including:

(a) Assessment of his skills;

(b) Clarification of his employment goals and information regarding the availability of various types of employment;

(c) The development of a personal plan for a career; and

(d) Referrals to public and private programs of training and placement.

2. Courses of instruction to assist a displaced homemaker in seeking and retaining employment, including instruction in:

(a) The initial steps in seeking employment;

(b) Skills for contacting employers;



- (c) The proper completion of applications for employment;
 - (d) Writing resumes;
 - (e) Skills for effective interviewing;
 - (f) The importance of a positive attitude and appropriate work habits;
 - (g) Skills for effective communication;
 - (h) Appropriate conduct in an office; and
 - (i) Resolving conflicts involving work and family.
3. Weekly meetings to allow the displaced homemakers it serves to share information regarding employment and to discuss their concerns regarding seeking and retaining employment.
4. Educational and counseling services relating to health and health care, including education about obtaining and paying for health care and related services, particularly about selecting physicians and others who provide the services, including health maintenance organizations and health insurance.
5. Services relating to financial management, including information about insurance, taxes, estates and probate, mortgages, loans and other related financial matters.
6. Referrals of displaced homemakers to appropriate agencies in the community which provide:
- (a) Assistance to persons addicted to alcohol or drugs;
 - (b) Personal counseling;
 - (c) Legal assistance;
 - (d) Child care; and
 - (e) Programs of secondary and postsecondary education, including programs for ~~occupational~~ *career and technical* education, English as a second language and improving reading ability.

Sec. 22. 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) Mathematics; and
- (c) Except as otherwise provided in subsection 6, science.

2. The examinations required by subsection 1 must be:

- (a) Administered before the completion of grades 4, 7, 10 and 11.
- (b) Administered in each school district and each charter school at the same time during the spring semester. The time for the



1 administration of the examinations must be prescribed by the State
2 Board.

3 (c) Administered in each school in accordance with uniform
4 procedures adopted by the State Board. The Department shall
5 monitor the compliance of school districts and individual schools
6 with the uniform procedures.

7 (d) Administered in each school in accordance with the plan
8 adopted pursuant to NRS 389.616 by the Department and with the
9 plan adopted pursuant to NRS 389.620 by the board of trustees of
10 the school district in which the examinations are administered. The
11 Department shall monitor the compliance of school districts and
12 individual schools with:

13 (1) The plan adopted by the Department; and

14 (2) The plan adopted by the board of trustees of the
15 applicable school district, to the extent that the plan adopted by the
16 board of trustees of the school district is consistent with the plan
17 adopted by the Department.

18 (e) Scored by a single private entity that has contracted with the
19 State Board to score the examinations. The private entity that scores
20 the examinations shall report the results of the examinations in the
21 form and by the date required by the Department.

22 3. Not more than 14 working days after the results of the
23 examinations are reported to the Department by a private entity that
24 scored the examinations, the Superintendent of Public Instruction
25 shall certify that the results of the examinations have been
26 transmitted to each school district and each charter school. Not more
27 than 10 working days after a school district receives the results of
28 the examinations, the superintendent of schools of each school
29 district shall certify that the results of the examinations have been
30 transmitted to each school within the school district. Except as
31 otherwise provided in this subsection, not more than 15 working
32 days after each school receives the results of the examinations, the
33 principal of each school and the governing body of each charter
34 school shall certify that the results for each pupil have been
35 provided to the parent or legal guardian of the pupil:

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

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

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



4. If a pupil fails to demonstrate at least adequate achievement on the examination administered before the completion of grade 4, 7 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 failed to make adequate yearly progress or in which less than 60 percent of the pupils enrolled in grade 4, 7 or 10 in the school who took the examinations administered pursuant to this section 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, 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.

5. If a pupil fails to pass the *high school* proficiency examination ~~administered before the completion of grade 11,~~ *or to receive the average score on the examination prescribed by the State Board for Career and Technical Education pursuant to section 8 of this act, as applicable,* 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.

6. The State Board shall prescribe standard examinations of achievement and proficiency to be administered pursuant to subsection 1. The high school proficiency examination must include the subjects of reading and mathematics and, except for the writing portion prescribed pursuant to NRS 389.550, must be developed, printed and scored by a nationally recognized testing company in accordance with the process established by the testing company. The examinations on reading, mathematics and science prescribed for grades 4, 7 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, 7 and 10 in this State to that of a national reference group of pupils in grades 4, 7 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.

Sec. 23. 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) Mathematics; and

(c) Science.

2. The examinations required by subsection 1 must be:

(a) Administered before the completion of grades 4, 7, 10 and 11.

(b) Administered in each school district and each charter school at the same time during the spring semester. 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) Administered in each school in accordance with the plan adopted pursuant to NRS 389.616 by the Department and with the plan adopted pursuant to NRS 389.620 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) Scored by a single private entity that has contracted with the State Board to score the examinations. The private entity that scores the examinations 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, 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. If a pupil fails to demonstrate at least adequate achievement on the examination administered before the completion of grade 4, 7 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 failed to make adequate yearly progress or in which less than 60 percent of the pupils enrolled in grade 4, 7 or 10 in the school who took the examinations administered pursuant to this section 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, 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.

5. If a pupil fails to pass the *high school* proficiency examination ~~administered before the completion of grade 11,~~ *or to receive the average score on the examination prescribed by the State Board for Career and Technical Education pursuant to section 8 of this act, as applicable,* 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.



6. The State Board shall prescribe standard examinations of achievement and proficiency to be administered pursuant to subsection 1. The high school proficiency examination must include the subjects of reading, mathematics and science and, except for the writing portion prescribed pursuant to NRS 389.550, must be developed, printed and scored by a nationally recognized testing company in accordance with the process established by the testing company. The examinations on reading, mathematics and science prescribed for grades 4, 7 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, 7 and 10 in this State to that of a national reference group of pupils in grades 4, 7 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.

Sec. 24. NRS 389.0173 is hereby amended to read as follows:

389.0173 1. The Department shall develop an informational pamphlet concerning the high school proficiency examination for pupils who are enrolled in junior high, middle school and high school, and their parents and legal guardians. The pamphlet must include a written explanation of the:

(a) Importance of passing the examination, including, without limitation, an explanation that if the pupil fails the examination *or does not receive an average score prescribed by the State Board for Career and Technical Education pursuant to section 8 of this act, as applicable*, he is not eligible to receive a ~~{standard}~~ high school diploma;



(b) Subject areas tested on the examination;

(c) Format for the examination, including, without limitation, the range of items that are contained on the examination;

(d) Manner by which the scaled score, as reported to pupils and their parents or legal guardians, is derived from the raw score;

(e) Timeline by which the results of the examination must be reported to pupils and their parents or legal guardians;

(f) Maximum number of times that a pupil is allowed to take the examination if he fails to pass the examination after the first administration;

(g) Courses of study that the Department recommends that pupils take to prepare the pupils to successfully meet the academic challenges of the examination and pass the examination; and

(h) Courses of study which the Department recommends that pupils take in high school to successfully prepare for the college entrance examinations.

2. The Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as it considers necessary to ensure that pupils and their parents or legal guardians fully understand the examination.

3. On or before September 1, the Department shall provide a copy of the pamphlet or revised pamphlet to the board of trustees of each school district and the governing body of each charter school that includes pupils enrolled in a junior high, middle school or high school grade level.

4. The board of trustees of each school district shall provide a copy of the pamphlet to each junior high, middle school or high school within the school district for posting. The governing body of each charter school shall ensure that a copy of the pamphlet is posted at the charter school. Each principal of a junior high, middle school, high school or charter school shall ensure that the teachers, counselors and administrators employed at the school fully understand the contents of the pamphlet.

5. On or before January 15, the:

(a) Board of trustees of each school district shall provide a copy of the pamphlet to each pupil who is enrolled in a junior high, middle school or high school of the school district and to the parents or legal guardians of such a pupil.

(b) Governing body of each charter school shall provide a copy of the pamphlet to each pupil who is enrolled in the charter school at a junior high, middle school or high school grade level and to the parents or legal guardians of such a pupil.

Sec. 25. NRS 389.160 is hereby amended to read as follows:

389.160 1. A pupil enrolled in high school, including, without limitation, a pupil enrolled in grade 9, 10, 11 or 12 in a



1 charter school, who successfully completes a course of education
2 offered by a community college or university in this State which has
3 been approved pursuant to subsection 2, must be allowed to apply
4 the credit received for the course so completed to the total number
5 of credits required for graduation from high school or the charter
6 school in which the pupil is enrolled.

7 2. With the approval of the State Board, the board of trustees of
8 each county school district and the governing body of each charter
9 school shall prescribe the courses for which credits may be received
10 pursuant to subsection 1, including ~~occupational~~ *career and*
11 *technical* courses for academic credit, and the amount of credit
12 allowed for the completion of those courses.

13 3. *The board of trustees of a school district or the governing*
14 *body of a charter school may request that the Board of Regents of*
15 *the University of Nevada grant permission for a licensed teacher*
16 *employed by the school district or charter school to provide*
17 *instruction for dual-credit courses offered pursuant to this section*
18 *if the teacher:*

19 (a) *Provides instruction to high school pupils; and*

20 (b) *Holds a master's degree in the subject area he teaches.*

21 **Sec. 26.** NRS 389.165 is hereby amended to read as follows:

22 389.165 1. A pupil enrolled in high school who successfully
23 completes a community service project which has been approved
24 pursuant to this section must be allowed to apply ~~not more than~~
25 ~~one~~ credit received for the completion of the project toward the
26 total number of credits required for graduation from high school.
27 ~~The~~ All credit *received* must be applied toward the pupil's elective
28 course credits and not toward a course that is required for graduation
29 from high school. A pupil may not receive credit for the completion
30 of a community service project if the project duplicates a course of
31 study in which the pupil has received instruction.

32 2. With the approval of the State Board, the board of trustees of
33 each school district shall prescribe for the district the:

34 (a) Community service projects for which credit will be
35 ~~granted;~~ *granted.*

36 (b) Amount of credit which will be granted upon completion of
37 each project. ~~Not more than 120 hours may be required for the~~
38 *award of 1/2 credit and not more than 240 hours may be required*
39 *for the award of 1 credit.*

40 (c) Rules regarding how a pupil may apply for such credit upon
41 completion of a community service project. ~~and~~

42 (d) Procedures for obtaining the consent of a parent or legal
43 guardian of a pupil before the pupil may participate in a community
44 service project for which credit will be granted.



1 **3. Community service projects offered pursuant to this**
2 **section must be included with all other elective courses offered by**
3 **a high school.**

4 **Sec. 27.** NRS 391.3127 is hereby amended to read as follows:

5 391.3127 1. Each board, following consultation with and
6 involvement of elected representatives of administrative personnel
7 or their designated representatives, shall develop an objective policy
8 for the objective evaluation of administrators in narrative form. The
9 policy must set forth a means according to which an administrator's
10 overall performance may be determined to be satisfactory or
11 unsatisfactory. The policy ~~{may}~~:

12 **(a) Must include a provision authorizing each teacher**
13 **employed at a school where the administrator is employed to**
14 **submit an evaluation for inclusion in the formal evaluation of the**
15 **administrator.**

16 **(b) May** include an evaluation by the administrator,
17 superintendent, pupils or other administrators , or any combination
18 thereof.

19 ➡ A copy of the policy adopted by the board must be filed with the
20 Department and made available to the Commission.

21 2. Each administrator must be evaluated in writing at least once
22 a year.

23 3. Before a superintendent transfers or assigns an administrator
24 to another administrative position as part of an administrative
25 reorganization, if the transfer or reassignment is to a position of
26 lower rank, responsibility or pay, he shall give written notice of the
27 proposed transfer or assignment to the administrator at least 30 days
28 before the date on which it is to be effective. The administrator may
29 appeal the decision of the superintendent to the board by requesting
30 a hearing in writing to the president of the board within 5 days after
31 receiving the notice from the superintendent. The board shall hear
32 the matter within 10 days after the president receives the request,
33 and shall render its decision within 5 days after the hearing. The
34 decision of the board is final.

35 **Sec. 28.** NRS 392.033 is hereby amended to read as follows:

36 392.033 1. **Except as otherwise provided in subsection 2, a**
37 **pupil who is enrolled in a junior high school or middle school**
38 **must complete at least 15 units of credits to be promoted to high**
39 **school.** The State Board shall adopt regulations which prescribe the
40 courses of study required for promotion to high school, which ~~{may}~~
41 **must** include the credits ~~{to be earned.}~~ **required for each course of**
42 **study.**

43 2. **The board of trustees of a school district may adopt written**
44 **rules that authorize a pupil who is enrolled in a junior high school**
45 **or middle school to apply for a reduction of the total units of credit**



1 *required for promotion to high school if the pupil has fewer than*
2 *three absences in each year that he is enrolled in a junior high*
3 *school or middle school. The board of trustees may reduce the*
4 *total units of credit required for promotion to high school*
5 *pursuant to this subsection by not more than one-half of the total*
6 *units of credit required for promotion.*

7 3. The board of trustees of a school district shall not promote a
8 pupil to high school if the pupil does not complete the course of
9 study ~~for~~ *and* credits required for promotion. The board of trustees
10 of the school district in which the pupil is enrolled ~~{may provide}~~
11 *shall ensure that the pupil has the opportunity to attend summer*
12 *school or other special* programs to complete the courses of study
13 *and credits* required for promotion to high school.

14 ~~{3-}~~ 4. The board of trustees of each school district shall adopt
15 a procedure for evaluating the course of study or credits completed
16 by a pupil who transfers to a junior high or middle school from a
17 junior high or middle school in this State or from a school outside of
18 this State.

19 **Sec. 29.** NRS 392.125 is hereby amended to read as follows:

20 392.125 1. Except as otherwise provided in subsection 4,
21 before any pupil enrolled in a public school may be retained in the
22 same grade rather than promoted to the next higher grade for the
23 succeeding school year, the pupil's teacher and principal must make
24 a reasonable effort to arrange a meeting and to meet with his parents
25 or guardian to discuss the reasons and circumstances.

26 2. The teacher and the principal in joint agreement have the
27 final authority to retain a pupil in the same grade for the succeeding
28 school year.

29 3. Except as otherwise provided in subsection ~~{2}~~ 3 of NRS
30 392.033 for the promotion of a pupil to high school, no pupil may
31 be retained more than one time in the same grade.

32 4. This section does not apply to the academic retention of
33 pupils who are enrolled in a charter school.

34 **Sec. 30.** NRS 392.455 is hereby amended to read as follows:

35 392.455 1. If a school district or a charter school has
36 established classes in ~~{occupational}~~ *career and technical*
37 education, the teachers and pupils in those classes must wear
38 devices provided by the school district or the charter school which
39 are designed to protect their eyes while they are using power tools,
40 torches or other dangerous equipment or machinery.

41 2. The teachers and pupils in classes in science must wear
42 devices provided by the school district which are designed to protect
43 their eyes when chemicals or toxic substances are used in those
44 classes.



1 **Sec. 31.** Chapter 396 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *For the purposes of the dual credit authorized pursuant to NRS*
4 *389.160, the board of trustees of a school district or the governing*
5 *body of a charter school may request that the Board of Regents*
6 *grant permission for a licensed teacher who:*

- 7 1. *Is employed by the school district or charter school;*
8 2. *Provides instruction at a high school; and*
9 3. *Holds a master's degree in the subject area he teaches,*

10 *↪ to provide instruction for dual-credit courses.*

11 **Sec. 32.** NRS 277.065 is hereby amended to read as follows:

12 277.065 1. Within the limits of legislative appropriations, the
13 Department of Education, the county school districts of the various
14 counties of the State, the Nevada Youth Training Center Bureau and
15 the Caliente Youth Center Bureau of the Division of Child and
16 Family Services of the Department of Human Resources and any
17 other state facility for the detention of children that is operated
18 pursuant to title 5 of NRS may enter into cooperative arrangements
19 for improving the quality of the academic and ~~foecupational~~ *career*
20 *and technical* education provided at the Nevada Youth Training
21 Center, the Caliente Youth Center and any other state facility for the
22 detention of children that is operated pursuant to title 5 of NRS.

23 2. This authorization includes the right to pay over money
24 appropriated to the Nevada Youth Training Center, the Caliente
25 Youth Center or any other state facility for the detention of children
26 that is operated pursuant to title 5 of NRS to the Department of
27 Education or to a county school district when necessary to
28 accomplish the purpose of this section.

29 **Sec. 33.** NRS 435.300 is hereby amended to read as follows:

30 435.300 1. No center may receive aid under the provisions of
31 NRS 435.130 to 435.320, inclusive, for persons enrolled who would
32 otherwise qualify for care or training under a program offered to the
33 mentally or functionally retarded in the school district in which that
34 person lives or by the county where he lives.

35 2. The provisions of subsection 1 do not preclude aid on
36 account of persons who are receiving ~~foecupational~~ *career and*
37 *technical* education at any center in conjunction with a school's
38 program of special education.

39 **Sec. 34.** NRS 563.030 is hereby amended to read as follows:

40 563.030 1. One member of the Board must be a member of
41 the teaching staff of the College of Agriculture of the University of
42 Nevada, Reno;

43 2. One member of the Board must be a member of the staff of
44 the Agricultural Extension Department of the Public Service



1 Division of the University and Community College System of
2 Nevada;

3 3. One member of the Board must be a member of the staff of
4 the State Board for ~~{Oeeupational}~~ *Career and Technical*
5 Education; and

6 4. Four members of the Board must be persons concerned with
7 the raising and improving of livestock in the State of Nevada, not
8 necessarily stock raisers, selected as follows:

9 (a) Two persons whose interest is in cattle and sheep;

10 (b) One person whose interest is in horses; and

11 (c) One person whose interest is in dairying.

12 ➔ All members must be residents of the State of Nevada.

13 **Sec. 35.** NRS 610.030 is hereby amended to read as follows:

14 610.030 1. A State Apprenticeship Council composed of
15 seven members is hereby created.

16 2. The Labor Commissioner shall appoint:

17 (a) Three members who are representatives from employer
18 associations and have knowledge concerning occupations in which a
19 person may be apprenticed.

20 (b) Three members who are representatives from employee
21 organizations and have knowledge concerning occupations in which
22 a person may be apprenticed.

23 (c) One member who is a representative of the general public
24 and who, before his appointment, must first receive the unanimous
25 approval of the members appointed under the provisions of
26 paragraphs (a) and (b).

27 3. The state official who has been designated by the State
28 Board for ~~{Oeeupational}~~ *Career and Technical* Education as being
29 in charge of trade and industrial education is an ex officio member
30 of the State Apprenticeship Council but may not vote.

31 **Sec. 36.** NRS 632.2856 is hereby amended to read as follows:

32 632.2856 1. The training program required for certification
33 as a nursing assistant must consist of 75 hours of instruction. The
34 program must include no less than 60 hours of theory and learning
35 skills in a laboratory setting.

36 2. Except as otherwise provided in this subsection, the
37 instructor of the program must be a registered nurse with:

38 (a) Three years of nursing experience which includes direct care
39 of patients and supervision and education of members of the staff;
40 and

41 (b) Proof of successful completion of training for instructors
42 which has been approved by the Board.

43 ➔ The Board may approve a licensed practical nurse as an instructor
44 if the Board determines that requiring instruction by a registered
45 nurse would create a hardship.



3. Upon completion of the program, a nursing assistant trainee must pass a test in theory with an overall score of 80 percent and a test of skills on a pass or fail basis. The test of skills must be given by a registered nurse. If the nursing assistant trainee fails either of the tests, he must repeat the training in the areas in which he was deficient before taking the certification examination.

4. In a program which is based in a facility, a nursing assistant trainee may only perform those tasks he has successfully completed in the training program, and must perform those tasks under the direct supervision of a registered nurse or a licensed practical nurse.

5. The Board shall adopt regulations not inconsistent with law:

(a) Specifying the scope of the training program and the required components of the program;

(b) Establishing standards for the approval of programs and instructors; and

(c) Designating the basic nursing services which a nursing assistant may provide upon certification.

6. Any medical facility, educational institution or other organization may provide a training program if the program meets the requirements set forth in this chapter and in the regulations of the Board, and is approved by the Board. Such a program must be administered through:

(a) The University and Community College System of Nevada;

(b) A program for ~~{occupational}~~ *career and technical* education approved by the State Board for ~~{Occupational}~~ *Career and Technical* Education;

(c) A public school in this State; or

(d) Any other nationally recognized body or agency authorized by law to accredit or approve such programs.

7. An educational institution or agency that administers a training program shall:

(a) Develop or approve the curriculum for training provided in its service district;

(b) Manage the training program; and

(c) Work with medical and other facilities to carry out the requirements of paragraphs (a) and (b).

Sec. 37. Section 107 of chapter 1, Statutes of Nevada 2003, 19th Special Session, at page 89, is hereby amended to read as follows:

Sec. 107. The high school proficiency examination that measures the performance of pupils on the standards of content and performance in science must first be administered to pupils enrolled in grade 11 in the 2007-2008 school year, who must pass the examination *or receive an average score prescribed by the State Board for Career and Technical*



Education pursuant to section 8 of this act, as applicable,
before the completion of grade 12 to graduate with a
~~[standard]~~ high school diploma in the 2008-2009 school year.

Sec. 38. 1. There is hereby appropriated from the State General Fund to the Department of Education the sum of \$250,000 for distribution by the Department in accordance with this section.

2. A principal or other administrator of a high school in which a pupil is enrolled and is receiving dual credit or participating in early studies from a course at a community college or university pursuant to NRS 389.160 may apply to the Department of Education for a grant of money to pay the costs of the pupil to attend the course.

3. The Department of Education shall establish a program by which a principal or administrator of a high school may apply to the Department for a grant of money pursuant to this section. The program must set forth, without limitation:

(a) The procedure by which a principal or administrator of a high school may apply for such a grant;

(b) Criteria for determining the eligibility of an applicant to receive such a grant; and

(c) Any conditions which the Department considers necessary for the acceptance of a grant by a high school, including, without limitation, any conditions under which the recipient of a grant may be required to refund the money to the Department.

4. As used in this section, "costs" include, without limitation, the costs of:

(a) Registration in a course offered at a community college or university; and

(b) Books and other materials which are required for the course.

5. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2007, and must be reverted to the State General Fund on or before September 21, 2007.

Sec. 39. If the Department of Education determines that a school district has not complied with the provisions of section 6 of this act by the beginning of the 2006-2007 school year, the Department shall reduce the amount of the basic support allocation from the State Distributive School Account otherwise payable to that school district by 5 percent.

Sec. 40. On or before July 1, 2006, the State Board for Career and Technical Education shall adopt regulations pursuant to section 8 of this act prescribing the average score that pupils must receive on the high school proficiency examination to be eligible for receipt of a standard career and technical education high school



1 diploma. The diploma must be made available to pupils who are
2 eligible beginning with the 2006-2007 school year.

3 **Sec. 41.** The provisions of NRS 354.599 do not apply to any
4 additional expenses of a local government that are related to the
5 provisions of this act.

6 **Sec. 42.** The Legislative Counsel shall:

7 1. In preparing the reprint and supplements to the Nevada
8 Revised Statutes, with respect to any section that is not amended by
9 this act or is further amended by another act, appropriately change
10 any reference to:

11 (a) "State Board for Occupational Education" to "State Board
12 for Career and Technical Education"; and

13 (b) Any other agency or any officer whose name is changed or
14 whose responsibilities have been transferred pursuant to the
15 provisions of this act refer to the appropriate agency or officer.

16 2. In preparing supplementation to the Nevada Administrative
17 Code, appropriately change any reference to:

18 (a) "State Board for Occupational Education" to "State Board
19 for Career and Technical Education"; and

20 (b) Any other agency or any officer whose name is changed or
21 whose responsibilities have been transferred pursuant to the
22 provisions of this act refer to the appropriate agency or officer.

23 **Sec. 43.** 1. This section and sections 1, 4, 5, 7, 9 to 21,
24 inclusive, and 25 to 42, inclusive, of this act become effective on
25 July 1, 2005.

26 2. Sections 2, 3, 6, 8, 22 and 24 of this act become effective on
27 July 1, 2006.

28 3. Section 22 of this act expires by limitation on June 30, 2007.

29 4. Section 23 of this act becomes effective on July 1, 2007.



