

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 education; 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 participate in informal evaluations of administrators; revising various provisions governing the credits required of and the award of credits to pupils; making an appropriation; requiring the board of trustees of each school district to determine the feasibility of scheduling start times for public schools in a certain manner; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes high school pupils to earn credit toward 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 of the University of Nevada 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 authorizes pupils to earn credit for the completion of community service projects. (NRS 389.165)

This bill revises provisions governing the award of credit for those projects and specifies that the credit must be applied toward the credits, if any, required for a scholarship.



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 require the board of trustees of each school district to adopt a policy to allow teachers employed at a school where an administrator is employed to participate in an informal evaluation process of the administrator to provide input in a confidential manner.

Existing law requires pupils to complete certain prescribed courses of study to be promoted to high school. (NRS 392.033)

This bill amends existing law to require the State Board of Education to prescribe the units of credit required for promotion to high school.

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.

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 make a determination regarding the feasibility of scheduling the school day so that all elementary schools begin the school day before all middle schools and high schools and all middle schools begin the school day before all high schools, and scheduling a school day at a high school to begin not earlier than 8 a.m.

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

Secs. 1-24. (Deleted by amendment.)

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

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

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



1 (a) *The course is approved by the University and Community*
2 *College System of Nevada or the applicable institution as*
3 *qualifying for dual credit;*

4 (b) *The content of the course is approved by the applicable*
5 *institution; and*

6 (c) *The teacher:*

7 (1) *Provides instruction to high school pupils; and*

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

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

10 389.165 1. A pupil enrolled in high school who successfully
11 completes a community service project which has been approved
12 pursuant to this section must be allowed to apply ~~[not more than~~
13 ~~one]~~ credit received for the completion of the project toward the
14 total number of credits required for graduation from high school.
15 ~~[The]~~ All credit *received* must be applied toward the pupil's elective
16 course credits and not toward a course that is required for graduation
17 from high school. A pupil may not receive credit for the completion
18 of a community service project if the project duplicates a course of
19 study in which the pupil has received instruction.

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

22 (a) Community service projects for which credit will be
23 ~~[granted;]~~ *granted.*

24 (b) Amount of credit which will be granted upon completion of
25 each project . ~~[;]~~ *The number of hours required to receive credit*
26 *pursuant to this section must be determined in accordance with*
27 *regulations adopted by the State Board.*

28 (c) Rules regarding how a pupil may apply for such credit upon
29 completion of a community service project . ~~[; and]~~

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

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

36 4. *Any credit awarded pursuant to this section must be*
37 *applied toward community service credits, if any, required for*
38 *receipt of a scholarship for postsecondary education.*

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

40 391.3127 1. Each board, following consultation with and
41 involvement of elected representatives of administrative personnel
42 or their designated representatives, shall develop an objective policy
43 for the objective evaluation of administrators in narrative form. The
44 policy must set forth a means according to which an administrator's



1 overall performance may be determined to be satisfactory or
2 unsatisfactory. The policy ~~{may}~~ :

3 *(a) Must include an informal process for teachers who are*
4 *employed at a school where the administrator is employed to*
5 *provide their input concerning the administrator in a confidential*
6 *manner, including, without limitation, through the use of*
7 *confidential surveys.*

8 *(b) May* include an evaluation by the administrator,
9 superintendent, pupils or other administrators , or any combination
10 thereof.

11 ➤ A copy of the policy adopted by the board must be filed with the
12 Department and made available to the Commission.

13 2. Each administrator must be evaluated in writing at least once
14 a year.

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

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

28 392.033 1. *Except as otherwise provided in subsection 2, a*
29 *pupil who is enrolled in a junior high school or middle school*
30 *must complete the units of credit prescribed by the State Board by*
31 *regulation to be promoted to high school.* The State Board shall
32 adopt regulations which prescribe the courses of study required for
33 promotion to high school, which ~~{may}~~ *must* include the credits ~~{to~~
34 ~~be earned.}~~ *required for each course of study.*

35 2. *The State Board may adopt written rules that authorize a*
36 *pupil who is enrolled in a junior high school or middle school to*
37 *apply for a reduction of the total units of credit required for*
38 *promotion to high school if the pupil has fewer than three*
39 *absences in each year that he is enrolled in a junior high school or*
40 *middle school. The State Board may reduce the total units of credit*
41 *required for promotion to high school pursuant to this subsection*
42 *by not more than one-half of the total units of credit required for*
43 *promotion.*

44 3. The board of trustees of a school district shall not promote a
45 pupil to high school if the pupil does not complete the course of



1 study ~~for~~ *and* credits required for promotion. The board of trustees
2 of the school district in which the pupil is enrolled may provide *an*
3 *opportunity for the pupil to attend summer school or other special*
4 programs to complete the courses of study *and credits* required for
5 promotion to high school.

6 ~~[3-]~~ 4. The board of trustees of each school district shall adopt
7 a procedure for evaluating the course of study or credits completed
8 by a pupil who transfers to a junior high or middle school from a
9 junior high or middle school in this State or from a school outside of
10 this State.

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

12 392.125 1. Except as otherwise provided in subsection 4,
13 before any pupil enrolled in a public school may be retained in the
14 same grade rather than promoted to the next higher grade for the
15 succeeding school year, the pupil's teacher and principal must make
16 a reasonable effort to arrange a meeting and to meet with his parents
17 or guardian to discuss the reasons and circumstances.

18 2. The teacher and the principal in joint agreement have the
19 final authority to retain a pupil in the same grade for the succeeding
20 school year.

21 3. Except as otherwise provided in subsection ~~[2]~~ 3 of NRS
22 392.033 for the promotion of a pupil to high school, no pupil may
23 be retained more than one time in the same grade.

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

26 **Sec. 30.** (Deleted by amendment.)

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

29 *For the purposes of the dual credit authorized pursuant to NRS*
30 *389.160, the board of trustees of a school district or the governing*
31 *body of a charter school may request that the Board of Regents*
32 *grant permission for a licensed teacher who:*

33 1. *Is employed by the school district or charter school;*

34 2. *Provides instruction at a high school; and*

35 3. *Holds a master's degree in the subject area he teaches,*

36 *↪ to provide instruction for dual-credit courses. Permission may*
37 *be granted if the course is approved by the System or the*
38 *applicable institution as qualifying for dual credit and the content*
39 *of the course is approved by the applicable institution.*

40 **Secs. 32-37.** (Deleted by amendment.)

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

44 2. A school district in which a pupil is enrolled in high school
45 and is receiving dual credit or participating in early studies from a



1 course at a community college or university pursuant to NRS
2 389.160 may apply to the Department of Education for a grant of
3 money to pay the costs of the pupil to attend the course.

4 3. The Department of Education shall establish a program by
5 which a school district may apply to the Department for a grant of
6 money pursuant to this section. The program must set forth, without
7 limitation:

8 (a) The procedure by which a school district may apply for such
9 a grant;

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

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

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

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

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

21 5. Any remaining balance of the appropriation made by
22 subsection 1 must not be committed for expenditure after June 30,
23 2007, and must be reverted to the State General Fund on or before
24 September 21, 2007.

25 **Secs. 39-42.** (Deleted by amendment.)

26 **Sec. 43.** 1. The board of trustees of each school district shall
27 determine the feasibility of establishing a schedule for public
28 schools, excluding charter schools, as follows:

29 (a) Beginning the school day of all elementary schools before all
30 middle schools, junior high schools and high schools.

31 (b) Beginning the school day of all middle schools and junior
32 high schools before all high schools.

33 (c) Beginning the school day of all high schools not earlier than
34 8 a.m.

35 2. If the board of trustees of a school district determines that
36 the schedule set forth in subsection 1 is feasible, the board may
37 implement such a schedule.

38 3. On or before January 1, 2007, the board of trustees of each
39 school district shall submit to the Department of Education a written
40 summary of the determination made pursuant to subsection 1.

41 4. On or before February 1, 2007, the Department of Education
42 shall submit a written report of the summaries and any
43 recommendations for legislation to the Director of the Legislative
44 Counsel Bureau for transmission to the 74th Session of the Nevada
45 Legislature.



1 **Sec. 44.** 1. This section and sections 1 to 27, inclusive, and
2 sections 29 to 43, inclusive, of this act become effective on July 1,
3 2005.

4 2. Section 28 of this act becomes effective on July 1, 2005, for
5 the purpose of adopting regulations and on July 1, 2008 for all other
6 purposes.



