

Amendment No. 359

Assembly Amendment to Assembly Bill No. 154

(BDR 34-484)

Proposed by: Committee on Education**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 2, page 2, by deleting lines 4 through 9 and inserting:

“Sec. 2. 1. The State Board shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.3469 that includes, without limitation, a summary of the following information for each school district, each charter school and the State as a whole:

(a) Demographic information of pupils, including, without limitation, the number and percentage of pupils:

- (1) Who are economically disadvantaged, as defined by the State Board;**
- (2) Who are from major racial or ethnic groups, as defined by the State Board;**
- (3) With disabilities;**
- (4) Who are limited English proficient; and**
- (5) Who are migratory children, as defined by the State Board;**

KCR

Date: 4/25/2005

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- (b) The average daily attendance of pupils, reported separately for the subgroups identified in paragraph (a);*
- (c) The transiency rate of pupils;*
- (d) The percentage of pupils who are habitual truants;*
- (e) The percentage of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655;*
- (f) The number of incidents resulting in suspension or expulsion for:*
 - (1) Violence to other pupils or to school personnel;*
 - (2) Possession of a weapon;*
 - (3) Distribution of a controlled substance;*
 - (4) Possession or use of a controlled substance; and*
 - (5) Possession or use of alcohol;*
- (g) For kindergarten through grade 8, the number and percentage of pupils who are retained in the same grade;*
- (h) For grades 9 to 12, inclusive, the number and percentage of pupils who are deficient in the number of credits required for promotion to the next grade or graduation from high school;*
- (i) The pupil-teacher ratio for kindergarten and grades 1 to 8, inclusive;*
- (j) The average class size for the subject area of mathematics, English, science and social studies in schools where pupils rotate to different teachers for different subjects;*
- (k) The number and percentage of pupils who graduated from high school;*
- (l) The number and percentage of pupils who received a:*
 - (1) Standard diploma;*

- (2) Adult diploma;*
- (3) Adjusted diploma; and*
- (4) Certificate of attendance;*
- (m) The number and percentage of pupils who graduated from high school and enrolled in remedial courses at the University and Community College System of Nevada;*
- (n) Per pupil expenditures;*
- (o) Information on the professional qualifications of teachers;*
- (p) The average daily attendance of teachers and licensure information;*
- (q) Information on the adequate yearly progress of the schools and school districts;*
- (r) Pupil achievement based upon the examinations administered pursuant to NRS 389.550 and the high school proficiency examination;*
- (s) To the extent practicable, pupil achievement based upon the examinations administered pursuant to NRS 389.015 for grades 4, 7 and 10; and”.*

Amend sec. 2, page 2, line 10, by deleting “(b)” and inserting “(t)”.

Amend sec. 2, page 2, lines 12 and 22, by deleting “*written*”.

Amend sec. 2, page 2, line 25, by deleting “*written summary*” and inserting:
“*summary in an electronic format*”.

Amend sec. 2, page 3, lines 11 and 12, by deleting:
“*school district or the charter school, as applicable,*” and inserting “*Department*”.

Amend sec. 2, page 3, between lines 13 and 14, by inserting:

“5. *The Department shall, in consultation with the Bureau and the school districts, prescribe a form for the summary required by this section.*”.

Amend sec. 3, page 3, by deleting lines 14 through 22 and inserting:

“Sec. 3. 1. The board of trustees of each school district shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.347 on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:

(a) The information set forth in subsection 1 of section 2 of this act, reported for the school district as a whole and for each school within the school district, including, without limitation, each charter school sponsored by the district;

(b) Information on the involvement of parents and legal guardians in the education of their children; and”.

Amend sec. 3, page 3, line 23, by deleting “(b)” and inserting “(c)”.

Amend sec. 3, page 3, line 25, by deleting “written”.

Amend sec. 3, page 3, line 32, by deleting “shall” and inserting:

“shall, in consultation with the Bureau and the school districts,”.

Amend sec. 3, page 3, by deleting lines 40 and 41 and inserting:

“(a) Submit the summary in an electronic format to the:”.

Amend sec. 3, page 4, by deleting lines 1 through 13 and inserting:

“(4) Committee;

(5) Bureau; and

(6) Schools within the school district, including, without limitation, the charter schools sponsored by the school district.

(b) Provide for the public dissemination of the summary by posting a copy of the summary on the Internet website maintained by the school district, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the summary. The board of each school district shall ensure that the parents and guardians of pupils enrolled in the school district have sufficient information concerning the availability of the summary, including, without limitation, information that describes how to access the summary on the Internet website maintained by the school district, if any. Upon the request of a parent or legal guardian, the school district shall provide the parent or legal guardian with a written copy of the summary.”.

Amend sec. 4, pages 4, 5 and 6, by deleting lines 14 through 45 on page 4, lines 1 through 45 on page 5 and lines 1 through 4 on page 6, and inserting:

“Sec. 4. 1. The principal of each public school, including, without limitation, each charter school, shall prepare a summary of accountability information on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:

(a) The information set forth in subsection 1 of section 2 of this act, reported only for the school;

(b) Information on the involvement of parents and legal guardians in the education of their children; and”.

Amend sec. 4, page 6, line 5, by deleting “(i)” and inserting “(c)”.

Amend sec. 4, page 6, line 7, by deleting “written”.

Amend sec. 4, page 6, line 11, by deleting “shall” and inserting:

“shall, in consultation with the Bureau and the school districts,”.

Amend sec. 4, page 6, by deleting lines 17 through 24 and inserting:

“4. On or before September 7 of each year:

(a) The principal of each public school shall submit the summary in electronic format to the:

(1) Department;

(2) Bureau; and

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

(b) The school district in which the school is located shall ensure that the summary is posted on the Internet website maintained by the school, if any, or the Internet website maintained by the school district, if any. If the summary is not posted on the website of the school or the school district, the school district shall otherwise provide for public dissemination of the summary.

(c) The principal of each public school shall ensure that the parents and legal guardians of the pupils enrolled in the school have sufficient information concerning the availability of the summary, including, without limitation, information that describes how to access the summary on the Internet website, if any, and how a parent or guardian may otherwise access the summary before the distribution required by subsection 5.

5. On or before September 30 of each year, the principal of each public school shall provide a written copy of the summary to each parent and legal guardian of a pupil enrolled in the school.”.

Amend sec. 5, page 6, line 28, by deleting “*significantly improved*” and inserting:

“an exemplary turnaround school”.

Amend sec. 6, page 6, line 35, by deleting “*significantly improved*” and inserting:

“an exemplary turnaround school district”.

Amend sec. 9, page 8, line 38, by deleting “and” and inserting “[and]”.

Amend sec. 9, page 8, line 44, by deleting “State.” and inserting:

“State ~~[-]~~;

(4) For each middle school, junior high school and high school, the number of persons employed as substitute teachers and the number of days each substitute teacher was employed, identified by grade level and subject area; and

(5) For each elementary school, the number of persons employed as substitute teachers and the number of days each substitute teacher was employed, identified by grade level.”.

Amend sec. 9, page 11, lines 38 through 40, by deleting the brackets and strike-through.

Amend sec. 9, page 11, line 41, by deleting “~~[(c)]~~ (b)” and inserting “(c)”.

Amend the bill as a whole by deleting sec. 10 and adding a new section designated sec. 10, following sec. 9, to read as follows:

“**Sec. 10.** NRS 385.347 is hereby amended to read as follows:

385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed personnel in education in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools ~~[-in]~~ *sponsored by* the school district. The board of trustees of a school district shall report the information required by subsection 2 for each charter school ~~[-within]~~ *sponsored by* the school district. ~~[-regardless of the sponsor of the charter school.]~~

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

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

(b) Pupil achievement for each school in the district and the district as a whole, including, without limitation, each charter school ~~that~~ **sponsored by** the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and 389.550 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school ~~that~~ **sponsored by** the district, and each grade in which the examinations were administered:

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

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

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

~~[(4)]~~ (3) Except as otherwise provided in this paragraph, pupil achievement, reported separately by gender and reported separately for the following subgroups of pupils:

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

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

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

(V) Pupils who are migratory children, as defined by the State Board;

~~{{(5)}}~~ (4) A comparison of the achievement of pupils in each subgroup identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board;

~~{{(6)}}~~ (5) The percentage of pupils who were not tested;

~~{{(7)}}~~ (6) Except as otherwise provided in this paragraph, the percentage of pupils who were not tested, reported separately by gender and reported separately for the subgroups identified in subparagraph ~~{{(4);}}~~ (3);

~~{{(8)}}~~ (7) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available;

~~{{(9)}}~~ (8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools ~~fin~~ **sponsored by** the district, with the results of pupils throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison; and

~~{{(10)}}~~ (9) For each school in the district, including, without limitation, each charter school ~~fin~~ **sponsored by** the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

↪ A separate reporting for a subgroup of pupils must not be made pursuant to this paragraph if the number of pupils in that subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board

shall prescribe the mechanism for determining the minimum number of pupils that must be in a subgroup for that subgroup to yield statistically reliable information.

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole, including, without limitation, each charter school ~~fin~~ *sponsored by* the district, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school in the district and the district as a whole, including, without limitation, each charter school ~~fin~~ *sponsored by* 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 ~~fin~~ *sponsored by* 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 ~~[-]~~ ;

(4) For each middle school, junior high school and high school, the number of persons employed as substitute teachers and the number of days each substitute teacher was employed, identified by grade level and subject area; and

(5) For each elementary school, the number of persons employed as substitute teachers and the number of days each substitute teacher was employed, identified by grade level.

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

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school ~~fin~~ **sponsored by** 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 information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

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

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

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

(3) Withdraw from school to attend another school.

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

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

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

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

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

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

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

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

(o) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033 or 392.125, for each school in the district and the district as a whole, including, without limitation, each charter school ~~[in]~~ *sponsored by* the district.

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

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

(r) *A compilation of the programs of remedial study that are purchased in whole or in part with money received from this State, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. The compilation must include:*

(1) The amount and sources of money received for *programs of* remedial ~~[education]~~ *study* for each school in the district and the district as a whole, including, without limitation, each charter school ~~[in]~~ *sponsored by* the district.

(2) *An identification of each program of remedial study, listed by subject area.*

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

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

(u) For each school in the district and the district as a whole, including, without limitation, each charter school ~~[in]~~ *sponsored by* the district, the number and percentage of pupils who received:

(1) A standard high school diploma.

(2) An adjusted diploma.

(3) A certificate of attendance.

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

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

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

(y) Whether the school district has made adequate yearly progress. If the school district has been designated as demonstrating need for improvement pursuant to NRS 385.377, the report must include a statement indicating the number of consecutive years the school district has carried that designation.

(z) Information on whether each public school in the district, including, without limitation, each charter school ~~fin~~ *sponsored by* the district, has made adequate yearly progress, including, without limitation:

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

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

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

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

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

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

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

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

- (a) Acquisition of knowledge or skills relating to the professional development of the teacher; or
- (b) Assignment of the teacher to perform duties for cocurricular or extracurricular activities of pupils.

4. The 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]~~ **August 15** of each year, the board of trustees of each school district shall submit to ~~the~~

~~—(a) Each~~ **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]~~ **Provide written notice that** the report required pursuant to subsection 2 **is available on the Internet website maintained by the school district, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided** 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) **by posting a copy of the report on the Internet website maintained by the school district, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by**

providing a copy of the report to the schools in the school district, including, without limitation, each charter school ~~fin~~ *sponsored by* 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 ~~fin~~ *sponsored by* the district.

9. *Upon the request of the Governor, an entity described in paragraph (a) of subsection 8 or a member of the general public, the board of trustees of a school district shall provide a portion or portions of the report required pursuant to subsection 2.*

10. 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.”.

Amend the bill as a whole by renumbering sections 15 through 21 as sections 19 through 25 and adding new sections designated sections 15 through 18, following sec. 14, to read as follows:

“Sec. 15. NRS 386.605 is hereby amended to read as follows:

386.605 1. On or before July 15 of each year, the governing body of ~~each~~ *a* charter school *that is sponsored by the board of trustees of a school district* shall submit the information concerning the charter school that is required pursuant to subsection 2 of NRS 385.347 to the board of trustees ~~[of the school district in which]~~ *that sponsors* the charter school ~~[is located, regardless of the sponsor of the charter school,]~~ for inclusion in the report of the school district pursuant to that section. The information must be submitted by the charter school in a format prescribed by the board of trustees.

2. ~~[On or before August 15 of each year, the governing body of each charter school shall submit the information applicable to the charter school that is contained in the report pursuant to paragraph~~

~~(t) of subsection 2 of NRS 385.347 to the Commission on Educational Technology created pursuant to NRS 388.790.]~~ ***On or before July 15 of each year, the governing body of a charter school that is sponsored by the State Board shall submit the information described in subsection 2 of NRS 385.347 to the Department in a format prescribed by the Department. The Department shall prepare a separate report of accountability information for the charter schools sponsored by the State Board.***

3. The Legislative Bureau of Educational Accountability and Program Evaluation created pursuant to NRS 218.5356 may authorize a person or entity with whom it contracts pursuant to NRS 385.359 to review and analyze information submitted by charter schools pursuant to this section and NRS 385.357, consult with the governing bodies of charter schools and submit written reports concerning charter schools pursuant to NRS 385.359.

Sec. 16. NRS 386.650 is hereby amended to read as follows:

386.650 1. The Department shall establish and maintain an automated system of accountability information for Nevada. The system must:

(a) Have the capacity to provide and report information, including, without limitation, the results of the achievement of pupils:

(1) In the manner required by 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, and NRS 385.3469 and 385.347; and

(2) In a separate reporting for each subgroup of pupils identified in paragraph (b) of subsection 1 of NRS 385.361;

(b) Include a system of unique identification for each pupil:

(1) To ensure that individual pupils may be tracked over time throughout this State; and

(2) That, to the extent practicable, may be used for purposes of identifying a pupil for both the public schools and the University and Community College System of Nevada, if that pupil enrolls in the System after graduation from high school;

(c) Have the capacity to provide longitudinal comparisons of the academic achievement, rate of attendance and rate of graduation of pupils over time throughout this State;

(d) Have the capacity to perform a variety of longitudinal analyses of the results of individual pupils on assessments, including, without limitation, the results of pupils by classroom and by school;

(e) Have the capacity to identify which teachers are assigned to individual pupils and which paraprofessionals, if any, are assigned to provide services to individual pupils;

(f) Have the capacity to provide other information concerning schools and school districts that is not linked to individual pupils, including, without limitation, the designation of schools and school districts pursuant to NRS 385.3623 and 385.377, respectively, and an identification of which schools, if any, are persistently dangerous;

(g) Have the capacity to access financial accountability information for each public school, including, without limitation, each charter school, for each school district and for this State as a whole; and

(h) Be designed to improve the ability of the Department, school districts and the public schools in this State, including, without limitation, charter schools, to account for the pupils who are enrolled in the public schools, including, without limitation, charter schools.

↪ The information maintained pursuant to paragraphs (c), (d) and (e) must not be used for the purpose of evaluating an individual teacher or paraprofessional.

2. The board of trustees of each school district shall:

(a) Adopt and maintain the program prescribed by the Superintendent of Public Instruction pursuant to subsection 3 for the collection, maintenance and transfer of data from the records of individual pupils to the automated system of information, including, without limitation, the development of plans for the educational technology which is necessary to adopt and maintain the program;

(b) Provide to the Department electronic data concerning pupils as required by the Superintendent of Public Instruction pursuant to subsection 3; and

(c) Ensure that an electronic record is maintained in accordance with subsection 3 of NRS 386.655.

3. The Superintendent of Public Instruction shall:

(a) Prescribe a uniform program throughout this State for the collection, maintenance and transfer of data that each school district must adopt, which must include standardized software;

(b) Prescribe the data to be collected and reported to the Department by each school district ***and each sponsor of a charter school*** pursuant to subsection 2. ~~[including, without limitation, data relating to each charter school located within a school district regardless of the sponsor of the charter school;]~~

(c) Prescribe the format for the data;

(d) Prescribe the date by which each school district shall report the data;

(e) Prescribe the date by which each charter school ~~[located within a school district]~~ shall report the data to the ~~[school district for incorporation into the report of the school district, regardless of the]~~ sponsor of the charter school;

(f) Prescribe standardized codes for all data elements used within the automated system and all exchanges of data within the automated system, including, without limitation, data concerning:

- (1) Individual pupils;
- (2) Individual teachers and paraprofessionals;
- (3) Individual schools and school districts; and
- (4) Programs and financial information;

(g) Provide technical assistance to each school district to ensure that the data from each public school in the school district, including, without limitation, each charter school located within the school district, is compatible with the automated system of information and comparable to the data reported by other school districts; and

(h) Provide for the analysis and reporting of the data in the automated system of information.

4. The Department shall establish, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, a mechanism by which persons or entities, including, without limitation, state officers who are members of the Executive or Legislative Branch, administrators of public schools and school districts, teachers and other educational personnel, and parents and guardians, will have different types of access to the accountability information contained within the automated system to the extent that such information is necessary for the performance of a duty or to the extent that such information may be made available to the general public without posing a threat to the confidentiality of an individual pupil.

5. The Department may, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, enter into an

agreement with the University and Community College System of Nevada to provide access to data contained within the automated system for research purposes.

Sec. 17. NRS 386.655 is hereby amended to read as follows:

386.655 1. The Department, the school districts and the public schools, including, without limitation, charter schools, shall, in operating the automated system of information established pursuant to NRS 386.650, comply with the provisions of:

(a) For all pupils, the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto; and

(b) For pupils with disabilities who are enrolled in programs of special education, the provisions governing access to education records and confidentiality of information prescribed in the Individuals with Disabilities Education Act, 20 U.S.C. § 1417(c), and the regulations adopted pursuant thereto.

2. Except as otherwise provided in 20 U.S.C. § 1232g(b) and any other applicable federal law, a public school, including, without limitation, a charter school, shall not release the education records of a pupil to a person or an agency of a federal, state or local government without the written consent of the parent or legal guardian of the pupil.

3. In addition to the record required pursuant to 20 U.S.C. § 1232g(b)(4)(A), each school district ***and each sponsor of a charter school*** shall maintain within the automated system of information an electronic record of all persons and agencies who have requested the education record of a pupil or obtained access to the education record of a pupil, or both, pursuant to 20 U.S.C. § 1232g. The electronic record must be maintained and may only be disclosed in accordance with the provisions of 20 U.S.C. § 1232g. A charter school shall provide to the ~~school district in which~~

~~the charter school is located]~~ ***sponsor of the charter school*** such information as is necessary for the ~~[school district]~~ ***sponsor*** to carry out the provisions of this subsection . ~~[, regardless of the sponsor of the charter school.]~~

4. The right accorded to a parent or legal guardian of a pupil pursuant to subsection 2 devolves upon the pupil on the date on which he attains the age of 18 years.

5. As used in this section, unless the context otherwise requires, “education records” has the meaning ascribed to it in 20 U.S.C. § 1232g(a)(4).

Sec. 18. NRS 388.795 is hereby amended to read as follows:

388.795 1. The Commission shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the Commission shall consider:

(a) Plans that have been adopted by the Department and the school districts in this State;

(b) Plans that have been adopted in other states;

(c) The information ~~[submitted to the Commission by the board of trustees of each school district pursuant to subsection 7 of]~~ ***reported pursuant to paragraph (t) of subsection 2 of*** NRS 385.347;

and

(d) Any other information that the Commission or the Committee deems relevant to the preparation of the plan.

2. The plan established by the Commission must include recommendations for methods to:

(a) Incorporate educational technology into the public schools of this State;

(b) Increase the number of pupils in the public schools of this State who have access to educational technology;

(c) Increase the availability of educational technology to assist licensed teachers and other educational personnel in complying with the requirements of continuing education, including, but not limited to, the receipt of credit for college courses completed through the use of educational technology;

(d) Facilitate the exchange of ideas to improve the achievement of pupils who are enrolled in the public schools of this State; and

(e) Address the needs of teachers in incorporating the use of educational technology in the classroom, including, but not limited to, the completion of training that is sufficient to enable the teachers to instruct pupils in the use of educational technology.

3. The Department shall provide:

- (a) Administrative support;
- (b) Equipment; and
- (c) Office space,

↪ as is necessary for the Commission to carry out the provisions of this section.

4. The following entities shall cooperate with the Commission in carrying out the provisions of this section:

- (a) The State Board.
- (b) The board of trustees of each school district.
- (c) The superintendent of schools of each school district.
- (d) The Department.

5. The Commission shall:

(a) Develop technical standards for educational technology and any electrical or structural appurtenances necessary thereto, including, without limitation, uniform specifications for computer hardware and wiring, to ensure that such technology is compatible, uniform and can be interconnected throughout the public schools of this State.

(b) Allocate money to the school districts from the Trust Fund for Educational Technology created pursuant to NRS 388.800 and any money appropriated by the Legislature for educational technology, subject to any priorities for such allocation established by the Legislature.

(c) Establish criteria for the board of trustees of a school district that receives an allocation of money from the Commission to:

- (1) Repair, replace and maintain computer systems.
- (2) Upgrade and improve computer hardware and software and other educational technology.
- (3) Provide training, installation and technical support related to the use of educational technology within the district.

(d) Submit to the Governor, the Committee and the Department its plan for the use of educational technology in the public schools of this State and any recommendations for legislation.

(e) Review the plan annually and make revisions as it deems necessary or as directed by the Committee or the Department.

(f) In addition to the recommendations set forth in the plan pursuant to subsection 2, make further recommendations to the Committee and the Department as the Commission deems necessary.

6. The Commission may appoint an advisory committee composed of members of the Commission or other qualified persons to provide recommendations to the Commission regarding standards for the establishment, coordination and use of a telecommunications network in the public

schools throughout the various school districts in this State. The advisory committee serves at the pleasure of the Commission and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

7. As used in this section, “public school” includes the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS.”.

Amend sec. 21, page 34, by deleting lines 11 through 14 and inserting:

“information required of:

- (a) The State Board of Education pursuant to section 2 of this act.
- (b) The board of trustees of each school district pursuant to section 3 of this act.
- (c) The principal of each public school pursuant to section 4 of this act.”.

Amend the bill as a whole by renumbering sec. 22 as sec. 27 and adding a new section designated sec. 26, following sec. 21, to read as follows:

“**Sec. 26.** The information required to be reported pursuant to subparagraphs (4) and (5) of paragraph (k) subsection 1 of section 9 of this act and subparagraphs (4) and (5) of paragraph (d) of subsection 2 of section 10 of this act is not required to be included in the reports of the State Board of Education and the school districts until the reports that are made after January 1, 2006.”.

Amend sec. 22, page 34, line 20, by deleting “21” and inserting “25”.

Amend sec. 22, page 34, line 22, after “Sections” by inserting “2,”.

Amend sec. 22, page 34, by deleting line 26 and inserting:

“3. Sections 1, 5 to 10, inclusive, 12 to 24, inclusive, and 26 of this”.