

SENATE BILL NO. 368—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

MARCH 28, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions regarding professional development of teachers and administrators. (BDR 34-1092)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring the plans to improve the achievement of pupils to include strategies for the professional development of teachers and administrators that directly address the needs of pupils; revising provisions governing the professional development provided to teachers and administrators; requiring the governing body of each regional training program for the professional development of teachers and administrators to review certain plans to improve the achievement of pupils; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 385.34691 is hereby amended to read as
2 follows:
3 385.34691 1. The State Board shall prepare a plan to improve
4 the achievement of pupils enrolled in the public schools in this
5 State. The plan:
6 (a) Must be prepared in consultation with:
7 (1) Employees of the Department;



(2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;

(3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; and

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516, appointed by the Council; and

(b) May be prepared in consultation with:

(1) Representatives of institutions of higher education;

(2) Representatives of regional educational laboratories;

(3) Representatives of outside consultant groups;

(4) Representatives of the regional training programs for the professional development of teachers and administrators established pursuant to NRS 391.512;

(5) The Bureau; and

(6) Other persons who the State Board determines are appropriate.

2. A plan to improve the achievement of pupils enrolled in public schools in this State must include:

(a) A review and analysis of the data upon which the report required pursuant to NRS 385.3469 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

(b) The identification of any problems or factors common among the school districts or charter schools in this State, as revealed by the review and analysis.

(c) Strategies based upon scientifically based research, as defined in 20 U.S.C. § 7801(37), that will strengthen the core academic subjects, as set forth in NRS 389.018.


(d) Strategies to improve the academic achievement of pupils enrolled in public schools in this State, including, without limitation, strategies to:

(1) Instruct pupils who are not achieving to their fullest potential;

(2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;

(3) Integrate technology into the instructional and administrative programs of the school districts;

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed at public schools in this State to include the activities set forth in 20 U.S.C. § 7801(34)  and to



1 *address the specific needs of the pupils enrolled in public schools*
2 *in this State*, as deemed appropriate by the State Board.

3 (e) Strategies designed to provide to the pupils enrolled in
4 middle school, junior high school and high school, the teachers and
5 counselors who provide instruction to those pupils, and the parents
6 and guardians of those pupils information concerning:

7 (1) The requirements for admission to an institution of higher
8 education and the opportunities for financial aid;

9 (2) The availability of millennium scholarships pursuant to
10 NRS 396.911 to 396.938, inclusive; and

11 (3) The need for a pupil to make informed decisions about
12 his curriculum in middle school, junior high school and high school
13 in preparation for success after graduation.

14 (f) An identification, by category, of the employees of the
15 Department who are responsible for ensuring that each provision of
16 the plan is carried out effectively.

17 (g) For each provision of the plan, a timeline for carrying out
18 that provision, including, without limitation, a timeline for
19 monitoring whether the provision is carried out effectively.

20 (h) For each provision of the plan, measurable criteria for
21 determining whether the provision has contributed toward
22 improving the academic achievement of pupils, increasing the rate
23 of attendance of pupils and reducing the number of pupils who drop
24 out of school.

25 (i) Strategies to improve the allocation of resources from this
26 State, by program and by school district, in a manner that will
27 improve the academic achievement of pupils. If this State has a
28 financial analysis program that is designed to track educational
29 expenditures and revenues to individual schools, the State Board
30 shall use that statewide program in complying with this paragraph.
31 If a statewide program is not available, the State Board shall use the
32 Department's own financial analysis program in complying with
33 this paragraph.

34 (j) Based upon the reallocation of resources set forth in
35 paragraph (i), the resources available to the State Board and the
36 Department to carry out the plan.

37 (k) A summary of the effectiveness of appropriations made by
38 the Legislature to improve the academic achievement of pupils and
39 programs approved by the Legislature to improve the academic
40 achievement of pupils.

41 3. The State Board shall:

42 (a) Review the plan prepared pursuant to this section annually to
43 evaluate the effectiveness of the plan; and

44 (b) Based upon the evaluation of the plan, make revisions, as
45 necessary, to ensure that the plan is designed to improve the



1 academic achievement of pupils enrolled in public schools in this
2 State.

3 4. On or before December 15 of each year, the State Board
4 shall submit the plan or the revised plan, as applicable, to the:

5 (a) Governor;

6 (b) Committee;

7 (c) Bureau;

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

9 (e) Council to Establish Academic Standards for Public Schools
10 created by NRS 389.510;

11 (f) Board of trustees of each school district; and

12 (g) Governing body of each charter school.

13 **Sec. 2.** NRS 385.348 is hereby amended to read as follows:

14 385.348 1. The board of trustees of each school district shall,
15 in consultation with the employees of the school district, prepare a
16 plan to improve the achievement of pupils enrolled in the school
17 district, excluding pupils who are enrolled in charter schools located
18 in the school district. If the school district is a Title I school district
19 designated as demonstrating need for improvement pursuant to NRS
20 385.377, the plan must also be prepared in consultation with parents
21 and guardians of pupils enrolled in the school district and other
22 persons who the board of trustees determines are appropriate.

23 2. Except as otherwise provided in this subsection, the plan
24 must include the items set forth in 20 U.S.C. § 6316(c)(7) and the
25 regulations adopted pursuant thereto. If a school district has not
26 been designated as demonstrating need for improvement pursuant to
27 NRS 385.377, the board of trustees of the school district is not
28 required to include those items set forth in 20 U.S.C. § 6316(c)(7)
29 and the regulations adopted pursuant thereto that directly relate to
30 the status of a school district as needing improvement.

31 3. In addition to the requirements of subsection 2, a plan to
32 improve the achievement of pupils enrolled in a school district must
33 include:

34 (a) A review and analysis of the data upon which the report
35 required pursuant to subsection 2 of NRS 385.347 is based and a
36 review and analysis of any data that is more recent than the data
37 upon which the report is based.

38 (b) The identification of any problems or factors at individual
39 schools that are revealed by the review and analysis.

40 (c) Strategies based upon scientifically based research, as
41 defined in 20 U.S.C. § 7801(37), that will strengthen the core
42 academic subjects, as set forth in NRS 389.018.

43 (d) Strategies to improve the academic achievement of pupils
44 enrolled in the school district including, without limitation,
45 strategies to:



(1) Instruct pupils who are not achieving to their fullest potential;

(2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;

(3) Integrate technology into the instructional and administrative programs of the school district;

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed by the school district to include the activities set forth in 20 U.S.C. § 7801(34) ~~and~~ *and to address the specific needs of the pupils enrolled in the school district*, as deemed appropriate by the board of trustees of the school district.

(e) An identification, by category, of the employees of the school district who are responsible for ensuring that each provision of the plan is carried out effectively.

(f) In consultation with the Department, an identification, by category, of the employees of the Department, if any, who are responsible for overseeing and monitoring whether the plan is carried out effectively.

(g) For each provision of the plan, a timeline for carrying out that provision, including, without limitation, a timeline for monitoring whether the provision is carried out effectively.

(h) For each provision of the plan, measurable criteria for determining whether the provision has contributed toward improving the academic achievement of pupils, increasing the rate of attendance of pupils and reducing the number of pupils who drop out of school.

(i) Strategies to improve the allocation of resources from the school district, by program and by school, in a manner that will improve the academic achievement of pupils. 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.

(j) Based upon the reallocation of resources set forth in paragraph (i), the resources available to the school district to carry out the plan.

(k) A summary of the effectiveness of appropriations made by the Legislature that are available to the school district or the schools within the school district to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.



1 4. The board of trustees of each school district shall:

2 (a) Review the plan prepared pursuant to this section annually to
3 evaluate the effectiveness of the plan; and

4 (b) Based upon the evaluation of the plan, make revisions, as
5 necessary, to ensure that the plan is designed to improve the
6 academic achievement of pupils enrolled in the school district.

7 5. On or before December 15 of each year, the board of
8 trustees of each school district shall submit the plan or the revised
9 plan, as applicable, to the:

10 (a) Superintendent of Public Instruction;

11 (b) Governor;

12 (c) State Board;

13 (d) Department;

14 (e) Committee; and

15 (f) Bureau.

16 **Sec. 3.** NRS 385.357 is hereby amended to read as follows:

17 385.357 1. The principal of each school, including, without
18 limitation, each charter school, shall, in consultation with the
19 employees of the school, prepare a plan to improve the achievement
20 of the pupils enrolled in the school.

21 2. The plan developed pursuant to subsection 1 must include:

22 (a) A review and analysis of the data pertaining to the school
23 upon which the report required pursuant to subsection 2 of NRS
24 385.347 is based and a review and analysis of any data that is more
25 recent than the data upon which the report is based.

26 (b) The identification of any problems or factors at the school
27 that are revealed by the review and analysis.

28 (c) Strategies based upon scientifically based research, as
29 defined in 20 U.S.C. § 7801(37), that will strengthen the core
30 academic subjects, as defined in NRS 389.018.

31 (d) Policies and practices concerning the core academic subjects
32 which have the greatest likelihood of ensuring that each subgroup of
33 pupils identified in paragraph (b) of subsection 1 of NRS 385.361
34 who are enrolled in the school will make adequate yearly progress
35 and meet the minimum level of proficiency prescribed by the State
36 Board.

37 (e) Annual measurable objectives, consistent with the annual
38 measurable objectives established by the State Board pursuant to
39 NRS 385.361, for the continuous and substantial progress by each
40 subgroup of pupils identified in paragraph (b) of subsection 1 of that
41 section who are enrolled in the school to ensure that each subgroup
42 will make adequate yearly progress and meet the level of
43 proficiency prescribed by the State Board.

44 (f) Strategies, consistent with the policy adopted pursuant to
45 NRS 392.457 by the board of trustees of the school district in which



1 the school is located, to promote effective involvement by parents
2 and families of pupils enrolled in the school in the education of their
3 children.

4 (g) As appropriate, programs of remedial education or tutoring
5 to be offered before and after school, during the summer, or between
6 sessions if the school operates on a year-round calendar for pupils
7 enrolled in the school who need additional instructional time to pass
8 or to reach a level considered proficient.

9 (h) Strategies to improve the academic achievement of pupils
10 enrolled in the school, including, without limitation, strategies to:

11 (1) Instruct pupils who are not achieving to their fullest
12 potential;

13 (2) Increase the rate of attendance of pupils and reduce the
14 number of pupils who drop out of school;

15 (3) Integrate technology into the instructional and
16 administrative programs of the school;

17 (4) Manage effectively the discipline of pupils; and

18 (5) Enhance the professional development offered for the
19 teachers and administrators employed at the school to include
20 the activities set forth in 20 U.S.C. § 7801(34) ~~and to address the~~
21 *specific needs of pupils enrolled in the school*, as deemed
22 appropriate by the principal . ~~and other persons and entities~~
23 ~~responsible for the development of the plan.]~~

24 (i) An identification, by category, of the employees of the school
25 who are responsible for ensuring that the plan is carried out
26 effectively.

27 (j) In consultation with the school district or governing body, as
28 applicable, an identification, by category, of the employees of the
29 school district or governing body, if any, who are responsible for
30 ensuring that the plan is carried out effectively or for overseeing and
31 monitoring whether the plan is carried out effectively.

32 (k) In consultation with the Department, an identification, by
33 category, of the employees of the Department, if any, who are
34 responsible for overseeing and monitoring whether the plan is
35 carried out effectively.

36 (l) For each provision of the plan, a timeline for carrying out
37 that provision, including, without limitation, a timeline for
38 monitoring whether the provision is carried out effectively.

39 (m) For each provision of the plan, measurable criteria for
40 determining whether the provision has contributed toward
41 improving the academic achievement of pupils, increasing the rate
42 of attendance of pupils and reducing the number of pupils who drop
43 out of school.

44 (n) The resources available to the school to carry out the plan. If
45 this State has a financial analysis program that is designed to track



1 educational expenditures and revenues to individual schools, each
2 school shall use that statewide program in complying with this
3 paragraph. If a statewide program is not available, each school shall
4 use the financial analysis program used by the school district in
5 which the school is located in complying with this paragraph.

6 (o) A summary of the effectiveness of appropriations made by
7 the Legislature that are available to the school to improve the
8 academic achievement of pupils and programs approved by the
9 Legislature to improve the academic achievement of pupils.

10 3. In addition to the requirements of subsection 2, if a school
11 has been designated as demonstrating need for improvement
12 pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. §
13 6316(b)(3) and the regulations adopted pursuant thereto.

14 4. Except as otherwise provided in subsection 5, the principal
15 of each school shall, in consultation with the employees of the
16 school:

17 (a) Review the plan prepared pursuant to this section annually to
18 evaluate the effectiveness of the plan; and

19 (b) Based upon the evaluation of the plan, make revisions, as
20 necessary, to ensure that the plan is designed to improve the
21 academic achievement of pupils enrolled in the school.

22 5. If a school has been designated as demonstrating need for
23 improvement pursuant to NRS 385.3623, the technical assistance
24 partnership or the support team established for the school, as
25 applicable, shall review the plan and make revisions to the most
26 recent plan for improvement of the school pursuant to NRS
27 385.3692 or 385.3741, as applicable. If the school is a Title I school
28 that has been designated as demonstrating need for improvement,
29 the technical assistance partnership or support team established for
30 the school, as applicable, shall, in making revisions to the plan,
31 work in consultation with parents and guardians of pupils enrolled
32 in the school and, to the extent deemed appropriate by the entity
33 responsible for creating the partnership or support team, outside
34 experts.

35 6. On or before November 1 of each year, the principal of each
36 school, or the technical assistance partnership or support team
37 established for the school, as applicable, shall submit the plan or the
38 revised plan, as applicable, to:

39 (a) If the school is a public school of the school district, the
40 superintendent of schools of the school district.

41 (b) If the school is a charter school, the governing body of the
42 charter school.

43 7. If a Title I school is designated as demonstrating need for
44 improvement pursuant to NRS 385.3623, the superintendent of
45 schools of the school district or the governing body, as applicable,



1 shall carry out a process for peer review of the plan or the revised
2 plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E)
3 and the regulations adopted pursuant thereto. Not later than 45 days
4 after receipt of the plan, the superintendent of schools of the school
5 district or the governing body, as applicable, shall approve the plan
6 or the revised plan, as applicable, if it meets the requirements of 20
7 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto
8 and the requirements of this section. The superintendent of schools
9 of the school district or the governing body, as applicable, may
10 condition approval of the plan or the revised plan, as applicable, in
11 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
12 regulations adopted pursuant thereto. The State Board shall
13 prescribe the requirements for the process of peer review, including,
14 without limitation, the qualifications of persons who may serve as
15 peer reviewers.

16 8. If a school is designated as demonstrating exemplary
17 achievement, high achievement or adequate achievement, or if a
18 school that is not a Title I school is designated as demonstrating
19 need for improvement, not later than 45 days after receipt of the
20 plan or the revised plan, as applicable, the superintendent of schools
21 of the school district or the governing body, as applicable, shall
22 approve the plan or the revised plan if it meets the requirements of
23 this section.

24 9. On or before December 15 of each year, the principal of
25 each school, or the technical assistance partnership or support team
26 established for the school, as applicable, shall submit the final plan
27 or the final revised plan, as applicable, to the:

- 28 (a) Superintendent of Public Instruction;
- 29 (b) Governor;
- 30 (c) State Board;
- 31 (d) Department;
- 32 (e) Committee;
- 33 (f) Bureau; and
- 34 (g) Board of trustees of the school district in which the school is

35 located.

36 10. A plan for the improvement of a school must be carried out
37 expeditiously, but not later than January 1 after approval of the plan
38 pursuant to subsection 7 or 8, as applicable.

39 **Sec. 4.** Chapter 391 of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 *If the board of trustees of a school district or the*
42 *superintendent of schools of a school district schedules a day or*
43 *days for the professional development of teachers or*
44 *administrators employed by the school district, at least 85 percent*
45 *of that scheduled professional development must be:*



1 1. *Specifically designed to improve the achievement of the*
2 *pupils enrolled in the school district, as set forth in the plan to*
3 *improve the achievement of pupils prepared pursuant to NRS*
4 *385.348 or 385.357, as applicable; or*

5 2. *Structured so that teachers attend professional*
6 *development that is designed for the specific subject areas or*
7 *grades taught by those teachers.*

8 **Sec. 5.** NRS 391.540 is hereby amended to read as follows:

9 391.540 1. The governing body of each regional training
10 program shall:

11 (a) Adopt a training model, taking into consideration other
12 model programs, including, without limitation, the program used by
13 the Geographic Alliance in Nevada.

14 (b) Assess the training needs of teachers and administrators who
15 are employed by the school districts within the primary jurisdiction
16 of the regional training program and adopt priorities of training for
17 the program based upon the assessment of needs. The board of
18 trustees of each such school district may submit recommendations to
19 the appropriate governing body for the types of training that should
20 be offered by the regional training program.

21 (c) *In making the assessment required by paragraph (b),*
22 *review the plans to improve the achievement of pupils prepared*
23 *pursuant to NRS 385.348 by the school districts within the primary*
24 *jurisdiction of the regional training program and, as deemed*
25 *necessary by the governing body, review the plans to improve the*
26 *achievement of pupils prepared pursuant to NRS 385.357 for*
27 *individual schools within the primary jurisdiction of the regional*
28 *training program.*

29 (d) Prepare a 5-year plan for the regional training program,
30 which includes, without limitation:

31 (1) An assessment of the training needs of teachers and
32 administrators who are employed by the school districts within the
33 primary jurisdiction of the regional training program; and

34 (2) Specific details of the training that will be offered by the
35 regional training program for the first 2 years covered by the plan.

36 ~~[(d)]~~ (e) Review the 5-year plan on an annual basis and make
37 revisions to the plan as are necessary to serve the training needs of
38 teachers and administrators employed by the school districts within
39 the primary jurisdiction of the regional training program.

40 2. The Department, the University and Community College
41 System of Nevada and the board of trustees of a school district may
42 request the governing body of the regional training program that
43 serves the school district to provide training, participate in a
44 program or otherwise perform a service that is in addition to the
45 duties of the regional training program that are set forth in the plan



1 adopted pursuant to this section or otherwise required by statute. An
2 entity may not represent that a regional training program will
3 perform certain duties or otherwise obligate the regional training
4 program as part of an application by that entity for a grant unless the
5 entity has first obtained the written confirmation of the governing
6 body of the regional training program to perform those duties or
7 obligations. The governing body of a regional training program
8 may, but is not required to, grant a request pursuant to this
9 subsection.

10 **Sec. 6.** If an evaluation is conducted during the 2005-2006
11 interim of the four regional training programs for the professional
12 development of teachers and administrators established pursuant to
13 NRS 391.512, the evaluation must include, without limitation:

- 14 1. Workshop evaluations;
- 15 2. Interviews with key personnel of the regional training
16 programs as well as teachers and administrators who participated in
17 the training;
- 18 3. Classroom-based observations of the teachers who
19 participated in the training; and
- 20 4. A review and analysis of whether the instructional methods
21 and other training received by teachers through the regional training
22 programs are carried out by those teachers in the classroom.

23 **Sec. 7.** This act becomes effective on July 1, 2005.



