

CHAPTER.....

AN ACT relating to education; revising provisions relating to reports of accountability to include information relating to pupils who drop out of school in grade 8; revising provisions governing the attendance and truancy of pupils; authorizing a juvenile court to order a parent or guardian of a child to pay a fine under certain circumstances if the child is a habitual truant; authorizing a juvenile court to waive certain fines if the parent or guardian is ordered to pay fines in a court of competent jurisdiction; requiring the Legislative Committee on Education to study issues relating to truancy; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Sections 1 and 2 of this bill require a report of pupils who drop out of school in grade 8 to be included in the reports of accountability prepared by the State Board of Education and the boards of trustees of school districts. (NRS 385.3469, 385.347)

Section 3 of this bill requires the board of trustees of a school district located in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to establish a school attendance council. A board of trustees of a school district located in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties) is authorized to establish a school attendance council. A school attendance council is required to implement a program to reduce the truancy of pupils and to monitor incidents of truancy of pupils within the district.

Existing law requires an advisory board to review school attendance created pursuant to NRS 392.126 to establish programs to reduce the truancy of pupils in the school district. (NRS 392.128) **Section 5** of this bill requires those programs to include the coordination of community services that provide assistance for pupils who are truant from school.

Section 6 of this bill requires the board of trustees of each school district to establish procedures to monitor the attendance and truancy of pupils within the school district.

Existing law makes it unlawful for a person to induce or attempt to induce a child to be unlawfully absent from school. (NRS 392.220) **Section 7** of this bill makes the inducement or attempt unlawful if the person knowingly induces or attempts to induce the child to be unlawfully absent from school. **Section 7** of this bill also clarifies that a parent or guardian may be in violation of this law if the parent knowingly induces or attempts to induce a child to be unlawfully absent from school.

Under existing law a child who is adjudicated to be in need of supervision because the child is a habitual truant may be ordered to pay a fine. (NRS 62A.430) **Section 9** of this bill authorizes the juvenile court to order the parent or guardian of the child to pay a fine if the parent or guardian knowingly induced the child to be a habitual truant. **Section 9** also authorizes the juvenile court to waive a fine if a parent or guardian is ordered, by a court of competent jurisdiction, to pay a fine arising out of the same circumstances.



Section 11 of this bill requires the Legislative Committee on Education to study the issue of truancy and report its findings to the Legislature on or before February 1, 2009.

WHEREAS, The graduation rate reported each year by the Department of Education is based on a general count of pupils who entered grade 9 and a count of pupils who receive a diploma or drop out 4 years later; and

WHEREAS, The National Governors Association Task Force on State High School Graduation Data is urging states to adopt a new method for calculating the graduation rate which tracks an individual pupil through his educational career to determine whether the pupil graduates; and

WHEREAS, Nevada has committed to adopting this new method for calculating the graduation rate; and

WHEREAS, The members of the 74th Session of the Nevada Legislature hereby urge the Department of Education to begin using the method for calculating the graduation rate promoted by the National Governors Association as soon as practicable; now, therefore,

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

Section 1. NRS 385.3469 is hereby amended to read as follows:

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

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

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

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

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

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and



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

(c) 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.

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

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

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

(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;

(4) For each middle school, junior high school and high school:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level and subject area; and

(5) For each elementary school:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total



number of days short-term substitute teachers were employed at each school, identified by grade level.

(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 *grade 8 and a separate reporting of 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]~~ *The reporting for pupils in grades 9 to 12, inclusive, excludes* 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 district, including, without limitation, each charter school in the district, and for this State as a whole.

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

(v) The transiency rate of pupils, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole. For the purposes of this paragraph, a pupil is not a 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.

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

(x) A compilation of the programs of remedial study purchased in whole or in part with money received from this State that are used in each school district, including, without limitation, each charter school in the district. The compilation must include:

(1) The amount and sources of money received for programs of remedial study.

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

(y) The percentage of pupils who graduated from a high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, state college or community college within the Nevada System of Higher Education, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

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

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



- (1) A standard high school diploma.
- (2) An adjusted diploma.
- (3) A certificate of attendance.

(bb) 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, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(cc) The number of habitual truants who are reported to a school police officer or local 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, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

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

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

(2) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, 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 programs supported with Title I money and to paraprofessionals who are not employed in programs supported with Title I money.

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

(ff) A compilation of the special programs available for pupils at individual schools, listed by school and by school district, including, without limitation, each charter school in the district.

2. A separate reporting for a subgroup of pupils must not be made pursuant to this section 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 a mechanism for



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

3. The annual report of accountability must:

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

(b) Be prepared in a concise manner; and

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

4. On or before September 1 of each year, the State Board shall:

(a) Provide for public dissemination of the annual report of accountability by posting a copy of the report on the Internet website maintained by the Department; and

(b) Provide written notice that the report is available on the Internet website maintained by the Department. The written notice must be provided to the:

(1) Governor;

(2) Committee;

(3) Bureau;

(4) Board of Regents of the University of Nevada;

(5) Board of trustees of each school district; and

(6) Governing body of each charter school.

5. Upon the request of the Governor, an entity described in paragraph (b) of subsection 4 or a member of the general public, the State Board shall provide a portion or portions of the annual report of accountability.

6. 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. 2. 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 *educational* 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 the school district. The board of trustees of each school district shall:



(a) Report the information required by subsection 2 for each charter school that is located within the school district, regardless of the sponsor of the charter school.

(b) For the information that is reported in an aggregated format, include the data that is applicable to the charter schools sponsored by the school district but not the charter schools that are sponsored by the State Board.

(c) Denote separately in the report those charter schools that are located within the school district and sponsored by the State Board.

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 in 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 in the district, and each grade in which the examinations were administered:

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

(2) 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;

(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;

(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;

(5) The percentage of pupils who were not tested;



(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 (3);

(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;

(8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools in 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

(9) For each school in the district, including, without limitation, each charter school in 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 in 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 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;

(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:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level and subject area; and

(5) For each elementary school:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, 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 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 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 *grade 8 and a separate reporting of 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]~~ *The reporting for pupils in grades 9 to 12, inclusive, excludes* 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 in the district.

(j) Efforts made by the school district and by each school in the district, including, without limitation, each charter school in 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 in 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 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 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 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 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 study for each school in the district and the district as a whole, including, without limitation, each charter school in 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 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, state college or community college within the Nevada System of Higher Education.

(t) The technological facilities and equipment available at each school, including, without limitation, each charter school, 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 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 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 in 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 in 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 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 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 August 15 of each year, the board of trustees of each school district shall submit to 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.

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

(a) 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 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. 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.

Sec. 3. Chapter 392 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of a school district located:

(a) In a county whose population is 100,000 or more, shall establish not less than one school attendance council within the school district.

(b) In a county whose population is less than 100,000, may establish a school attendance council within the school district.

2. A school attendance council established by the board of trustees must consist of members whose professional responsibilities relate to the prevention of truancy and the enforcement of laws relating to truancy, which may include, without limitation, a person in charge of monitoring attendance within the school district or a school, a representative from an agency which provides child welfare services, a representative from a law enforcement agency and a representative of the district attorney.

3. A school attendance council shall:

(a) Assist in the implementation of a program to reduce the truancy of pupils adopted by the advisory board to review school attendance pursuant to NRS 392.128.

(b) Monitor each incident involving the truancy of a pupil within the school district and document the efforts made by each



school and the school district to assist the pupil in attending school.

(c) Monitor excessive absences of pupils within the school district and document the efforts made by each school and the school district to assist pupils in attending school.

(d) Prepare an annual report which includes a compilation of the disposition of incidences involving the truancy of pupils during the immediately preceding school year. On or before August 1 of each year the report must be submitted to the Department and the Legislative Committee on Education. The annual report must not disclose the identity of an individual pupil.

(e) Receive and retain a report from a family resource center or other provider of community services that assists pupils who are truant. As used in this paragraph, "family resource center" has the meaning ascribed to it in NRS 430A.040.

Sec. 4. NRS 392.127 is hereby amended to read as follows:

392.127 The board of trustees of each school district shall provide administrative support to ~~each advisory~~ :

1. Each advisory board to review school attendance created in its county pursuant to NRS 392.126.

2. If applicable, each school attendance council established pursuant to section 3 of this act.

Sec. 5. NRS 392.128 is hereby amended to read as follows:

392.128 1. Each advisory board to review school attendance created pursuant to NRS 392.126 shall:

(a) Review the records of the attendance and truancy of pupils submitted to the advisory board to review school attendance by the board of trustees of the school district pursuant to subsection 7 of NRS 385.347;

(b) Identify factors that contribute to the truancy of pupils in the school district;

(c) Establish programs to reduce the truancy of pupils in the school district ~~and~~, *including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;*

(d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and

(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the district of the policies and procedures adopted pursuant to the provisions of this section.



2. The chairman of an advisory board may divide the advisory board into subcommittees. The advisory board may delegate one or more of the duties of the advisory board to a subcommittee of the advisory board, including, without limitation, holding hearings pursuant to NRS 392.147. If the chairman of an advisory board divides the advisory board into subcommittees, the chairman shall notify the board of trustees of the school district of this action. Upon receipt of such a notice, the board of trustees shall establish rules and procedures for each such subcommittee. A subcommittee shall abide by the applicable rules and procedures when it takes action or makes decisions.

3. *An advisory board to review school attendance may work with a family resource center or other provider of community services to provide assistance to pupils who are truant. The advisory board shall identify areas within the school district in which community services are not available to assist pupils who are truant. As used in this subsection, “family resource center” has the meaning ascribed to it in NRS 430A.040.*

4. An advisory board to review school attendance created in a county pursuant to NRS 392.126 may use money appropriated by the Legislature and any other money made available to the advisory board for the use of programs to reduce the truancy of pupils in the school district. The advisory board to review school attendance shall, on a quarterly basis, provide to the board of trustees of the school district an accounting of the money used by the advisory board to review school attendance to reduce the truancy of pupils in the school district.

Sec. 6. NRS 392.150 is hereby amended to read as follows:

392.150 **1.** The board of trustees of a school district may ~~1.~~ *appoint* ~~appoint~~ an attendance officer ~~for the school district,~~ who need not be a licensed employee of the school district, except that in any school district where a system of classified employment is in effect, attendance officers must be classified employees of the school district. *If the board of trustees appoints an attendance officer for the school district, the board of trustees may:*

- ~~[2.]~~ (a) Fix his compensation ~~for the school district;~~
- ~~[3.]~~ (b) Prescribe his duties ~~for the school district; and~~
- ~~[4.]~~ (c) Adopt regulations not inconsistent with law for the performance of his duties.

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

(a) *Establish procedures to monitor the attendance and truancy of pupils, including, without limitation, a standard method*



for reporting the truancy of pupils and a standard method for reporting excessive absences of pupils throughout the school district;

(b) Coordinate efforts to refer pupils who are truant to appropriate providers of community services; and

(c) Determine, based on the attendance and truancy of pupils at each school within the school district, whether to employ an attendance clerk for a particular school or group of schools whose primary responsibility is to monitor the attendance and truancy of pupils.

Sec. 7. NRS 392.220 is hereby amended to read as follows:

392.220 1. Any person *, including, without limitation, a parent or legal guardian of a child,* who *knowingly* induces or attempts to induce any child to be absent from school unlawfully, *including, without limitation, requiring the child to provide care for a sibling while school is in session,* or who knowingly employs or harbors, while school is in session, any child absent unlawfully from school, is guilty of a misdemeanor.

2. The attendance officer *for the school district, an attendance clerk* or any other school officer is empowered to visit any place or establishment where minor children are employed to ascertain whether the provisions of this title of NRS are complied with fully, and may demand from all employers of such children a list of children employed, with their names and ages.

Sec. 8. NRS 62E.270 is hereby amended to read as follows:

62E.270 1. If the juvenile court imposes a fine against:

(a) A delinquent child pursuant to NRS 62E.730;

(b) A child who has committed a minor traffic offense, except an offense related to metered parking, pursuant to NRS 62E.700; or

(c) A child in need of supervision *, or the parent or guardian of the child,* because the child is a habitual truant pursuant to NRS 62E.430,

↳ the juvenile court shall order the child or the parent or guardian of the child to pay an administrative assessment of \$10 in addition to the fine.

2. The juvenile court shall state separately on its docket the amount of money that the juvenile court collects for the administrative assessment.

3. If the child is found not to have committed the alleged act or the charges are dropped, the juvenile court shall return to the child or the parent or guardian of the child any money deposited with the juvenile court for the administrative assessment.



4. On or before the fifth day of each month for the preceding month, the clerk of the court shall pay to the county treasurer the money the juvenile court collects for administrative assessments.

5. On or before the 15th day of each month, the county treasurer shall deposit the money in the county general fund for credit to a special account for the use of the county's juvenile court or for services to delinquent children.

Sec. 9. NRS 62E.430 is hereby amended to read as follows:

62E.430 1. If a child is adjudicated to be in need of supervision because the child is a habitual truant, the juvenile court shall:

(a) The first time the child is adjudicated to be in need of supervision because the child is a habitual truant:

(1) Order ~~{the child to:~~

~~(I) Pay} :~~

(I) The child to pay a fine of not more than \$100 and the administrative assessment required by NRS 62E.270 ~~{;}~~ *or if the parent or guardian of the child knowingly induced the child to be a habitual truant, order the parent or guardian to pay the fine and the administrative assessment;* or

(II) ~~{Perform}~~ *The child to perform* not less than 8 hours but not more than 16 hours of community service; and

(2) If the child is 14 years of age or older, order the suspension of the driver's license of the child for at least 30 days but not more than 6 months. If the child does not possess a driver's license, the juvenile court shall prohibit the child from applying for a driver's license for 30 days:

(I) Immediately following the date of the order if the child is eligible to apply for a driver's license; or

(II) After the date the child becomes eligible to apply for a driver's license if the child is not eligible to apply for a driver's license.

(b) The second or any subsequent time the child is adjudicated to be in need of supervision because the child is a habitual truant:

(1) Order ~~{the child to:~~

~~(I) Pay} :~~

(I) The child to pay a fine of not more than \$200 and the administrative assessment required by NRS 62E.270 ~~{;}~~ *or if the parent or guardian of the child knowingly induced the child to be a habitual truant, order the parent or guardian to pay the fine and the administrative assessment;*

(II) ~~{Perform}~~ *The child to perform* not more than 10 hours of community service; or



(III) ~~[Comply]~~ *Compliance* with the requirements set forth in both sub-subparagraphs (I) and (II); and

(2) If the child is 14 years of age or older, order the suspension of the driver's license of the child for at least 60 days but not more than 1 year. If the child does not possess a driver's license, the juvenile court shall prohibit the child from applying for a driver's license for 60 days:

(I) Immediately following the date of the order if the child is eligible to apply for a driver's license; or

(II) After the date the child becomes eligible to apply for a driver's license if the child is not eligible to apply for a driver's license.

2. The juvenile court may suspend the payment of a fine ordered pursuant to paragraph (a) of subsection 1 if the child attends school for 60 consecutive school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the imposition of the fine, or has a valid excuse acceptable to his teacher or the principal for any absence from school within that period.

3. *The juvenile court may suspend the payment of a fine ordered pursuant to this section if the parent or guardian of a child is ordered to pay a fine by another court of competent jurisdiction in a case relating to or arising out of the same circumstances that caused the juvenile court to adjudicate the child in need of supervision.*

4. The community service ordered pursuant to this section must be performed at the child's school of attendance, if practicable.

Sec. 10. NRS 430A.160 is hereby amended to read as follows:

430A.160 1. Each family resource center shall provide referrals to obtain, if available, the following services:

(a) Education on caring for infants and day care services for infants;

(b) Education on parenting;

(c) Health care services for children, including all required immunizations;

(d) Programs to identify and assist developmentally disabled infants and young children of up to 5 years of age;

(e) Day care for children who are old enough to attend school, both before and after school;

(f) Programs to assist senior citizens;

(g) Programs to supplement formal education, including, without limitation, mentor programs for pupils in elementary and secondary schools, literacy programs, programs that encourage



parental involvement in school, programs that teach English as a second language, programs to assist in the naturalization process and other alternative educational programs;

(h) Programs to teach adults and children skills for employment and self-sufficiency;

(i) Services that will assist families with physical and mental health issues, the special needs of children, food and nutritional needs, recreational needs, housing problems, domestic violence and substance abuse;

(j) Programs designed to reduce the rate of pregnancies in unmarried teenage girls;

(k) Programs designed to *assist pupils who are truant from school and to* reduce the rate at which pupils drop out of school;

(l) Transportation services, particularly to assist people in traveling to the social service agencies from which they may be receiving services pursuant to this section;

(m) Classes that teach alternative means of resolving disputes that arise in the family; and

(n) Any other services for which the communities that the family resource center serves have a need.

2. Each family resource center may offer services directly through its own employees and resources or contract with social service agencies to provide services, or may do both.

3. Any family resource center that offers services directly through its own employees and resources shall comply with all applicable state and federal laws and regulations regarding the delivery of the services.

Sec. 11. 1. The Legislative Committee on Education shall study issues relating to truancy during the 2007-2009 interim.

2. The study must include, without limitation, a review of:

(a) Issues relating to pupils who are truant from school, including, without limitation, measures of prevention, intervention and diversion and the imposition of appropriate discipline.

(b) The effectiveness of existing programs designed to reduce the number of pupils who are truant from school and identify programs throughout the State or in other states that are effective.

(c) Recommendations for a plan to reduce the number of pupils who are truant from school.

3. On or before February 1, 2009, the Legislative Committee on Education shall submit the report of its findings and any recommendations to the Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature.



Sec. 12. The provisions of section 9 of this act do not apply to a parent or guardian of a child who is adjudicated in need of supervision because he is a habitual truant if all acts of truancy occurred before July 1, 2007.

Sec. 13. This act becomes effective on July 1, 2007.

