

Senate Bill No. 151–Committee on
Human Resources and Education

CHAPTER.....

AN ACT relating to education; revising the circumstances under which larger school districts may apply to the Superintendent of Public Instruction for an alternative school schedule; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires school districts to provide at least 180 days of school in a school year. A school district in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties) may apply to the Superintendent of Public Instruction for an alternative school schedule if the number of minutes of instruction provided under the alternative schedule is equal to or greater than the number of minutes provided in 180 school days. A school district in a county whose population is 100,000 or more (currently Clark and Washoe Counties) may apply for an alternative school schedule if the schedule will apply only to a rural or remote portion of the county in which the school district is located. (NRS 388.090) This bill expands the circumstances under which a school district in a county whose population is 100,000 or more may apply for an alternative schedule to include an alternative schedule that is designed solely for the purpose of providing professional development for educational personnel.

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

Section 1. NRS 388.090 is hereby amended to read as follows:

388.090 1. Except as otherwise provided in this section, boards of trustees of school districts shall schedule and provide a minimum of 180 days of free school in the districts under their charge.

2. Except for an alternative schedule described in subsection 3, the Superintendent of Public Instruction may, upon application by the board of trustees of a school district, authorize the school district to provide a program of instruction based on an alternative schedule if the number of minutes of instruction to be provided is equal to or greater than the number of minutes of instruction that would be provided in a program of instruction consisting of 180 school days. The Superintendent of Public Instruction shall notify the board of trustees of the school district of the approval or denial of the application not later than 30 days after the Superintendent of Public Instruction receives the application. An alternative schedule proposed pursuant to this subsection must be developed in accordance with chapter 288 of NRS. If a school district is located in a county whose population is 100,000 or more, the *board of*



trustees of the school district may not submit an application pursuant to this subsection unless the proposed alternative schedule of the school district ~~will~~:

(a) *Will* apply only to a rural portion or a remote portion of the county in which the school district is located, as defined by the State Board pursuant to subsection 9 ~~H~~; or

(b) *Is designed solely for the purpose of providing regular professional development to educational personnel and such professional development is focused on analyzing and discussing measures of the performance of pupils and identifying appropriate instructional strategies to improve the achievement of pupils.*

3. The Superintendent of Public Instruction may, upon application by the board of trustees of a school district, authorize a reduction of not more than 15 school days in that particular district to establish or maintain an alternative schedule consisting of a 12-month school program if the board of trustees demonstrates that the proposed alternative schedule for the program provides for a number of minutes of instruction that is equal to or greater than that which would be provided under a program consisting of 180 school days. Before authorizing a reduction in the number of required school days pursuant to this subsection, the Superintendent of Public Instruction must find that the proposed alternative schedule will be used to alleviate problems associated with a growth in enrollment or overcrowding.

4. The Superintendent of Public Instruction may, upon application by a board of trustees, authorize the addition of minutes of instruction to any scheduled day of free school if days of free school are lost because of any interscholastic activity. Not more than 5 days of free school so lost may be rescheduled in this manner. The provisions of this subsection do not apply to an alternative schedule approved pursuant to subsection 2.

5. The number of minutes of instruction required for a particular group of pupils in a program of instruction based on an alternative schedule approved pursuant to this section must be determined by multiplying the appropriate minimum daily period of instruction established by the State Board by regulation for that particular group of pupils by 180.

6. Each school district shall schedule at least 3 contingent days of school, or its equivalent if the school district operates under an alternative schedule authorized pursuant to this section, in addition to the number of days required by this section, which must be used if a natural disaster, inclement weather or an accident necessitates



the closing of a majority of the facilities within the district. The 3 contingent days of school, or its equivalent, may be scheduled as:

- (a) Full days of school;
- (b) An equivalent number of minutes of instruction added to any scheduled day of instruction, except that the minutes added must not be less than 30 minutes per school day; or
- (c) Any combination thereof.

7. If more than 3 days of free school or minutes of instruction equaling 3 days of free school, or the equivalent if the school district operates under an alternative schedule authorized pursuant to this section, are lost because a natural disaster, inclement weather or an accident necessitates the closing of a majority of the facilities within a school district, the Superintendent of Public Instruction, upon application by the school district, may permit the additional days or equivalent minutes of instruction lost to be counted as school days in session. The application must be submitted in the manner prescribed by the Superintendent of Public Instruction.

8. The Superintendent of Public Instruction may, upon application by the board of trustees of a school district, authorize additional days or minutes of instruction for a program of remedial education that is fully paid for through the school district, including, without limitation, the provision of transportation. If the Superintendent of Public Instruction authorizes such additional days or minutes, the board of trustees may adopt a policy prescribing the minimum number of days of attendance or the minimum number of minutes of attendance for a pupil who is determined to need such remedial education. If the board of trustees adopts such a policy, the policy must include, without limitation, the criteria for determining that a pupil be enrolled in the program of remedial education, the procedure pursuant to which parents and guardians will be notified of the pupil's progress throughout the school year and a process for appealing a determination regarding a pupil's need for remedial education.

9. The State Board shall adopt regulations:

(a) Providing procedures for changing schedules of instruction to be used if a natural disaster, inclement weather or an accident necessitates the closing of a particular school within a school district.

(b) Defining a rural portion of a county and a remote portion of a county for the purposes of subsection 2.

Sec. 2. This act becomes effective on July 1, 2007.

