

SENATE BILL NO. 312—SENATORS HORSFORD, CARE, MATHEWS,
SCHNEIDER, WIENER AND WOODHOUSE

MARCH 19, 2007

JOINT SPONSORS: ASSEMBLYMEN HARDY, ATKINSON,
BOBZIEN, DENIS, HORNE AND OCEGUERA

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions relating to education.
(BDR 34-604)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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; revising provisions relating to the annual reports of accountability information relating to public schools; requiring the State Board of Education to establish alternative criteria for certain high school pupils to receive a standard high school diploma; establishing a process by which a high school pupil may take an examination to demonstrate competency in lieu of attending a course of study; expanding the age of compulsory school attendance from 17 years to 18 years; authorizing certain pupils to earn credit for high school courses before completion of certain requirements for promotion to high school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The State Board of Education and each school district are required to prepare annual reports of accountability information. Those reports must include information on the drop out rate of pupils in grades 9 to 12, inclusive. (NRS 385.3469, 385.347, 385.349) **Sections 1 and 2** of this bill expand the annual reports of accountability information to include the rate of pupils who drop out of school in grades 6, 7 and 8.

Existing law requires a pupil to pass all subject areas of the high school proficiency examination for receipt of a standard high school diploma. (NRS



389.015) **Section 4** of this bill requires the State Board to prescribe alternative criteria that a pupil may satisfy to receive a standard high school diploma if that pupil passes the mathematics and reading subject areas of the high school proficiency examination but has not passed the examination in its entirety after taking the examination at least three times before 12th grade.

Current regulations adopted by the State Board allow a pupil to receive credit for a course of study if the pupil demonstrates competency in the course by taking an examination. (NAC 389.670) **Section 5** of this bill provides that a pupil may be granted credit for a course without attending the course if he passes an examination, as prescribed by the State Board, demonstrating competency in the subject area of the course.

Existing law requires the State Board to prescribe requirements for promotion to high school and provides that a pupil must not be promoted to high school until those requirements are met. (NRS 392.033) **Section 8** of this bill requires the board of trustees of each school district to adopt a policy for a pupil to be placed on academic probation and to earn credits required for high school while the pupil is completing the requirements for promotion to high school.

Existing law requires a child between the ages of 7 and 17 years to attend school. (NRS 392.040) **Section 9** of this bill expands the age of compulsory school attendance to 18 years.

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



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(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 *grades 6, 7 and 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



1 school district, including, without limitation, each charter school in
2 the district, and for this State as a whole.

3 (v) The transiency rate of pupils, reported for each school
4 district, including, without limitation, each charter school in the
5 district, and for this State as a whole. For the purposes of this
6 paragraph, a pupil is not a transient if he is transferred to a different
7 school within the school district as a result of a change in the zone
8 of attendance by the board of trustees of the school district pursuant
9 to NRS 388.040.

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

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

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

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

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

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

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

34 (1) A standard high school diploma ~~H~~, *reported separately*
35 *for pupils who received the diploma pursuant to:*

36 *(I) Paragraph (a) of subsection 1 of section 4 of this act;*
37 *and*

38 *(II) Paragraph (b) of subsection 1 of section 4 of this*
39 *act.*

40 (2) An adjusted diploma.

41 (3) A certificate of attendance.

42 (bb) The number and percentage of pupils who ~~did not receive~~
43 ~~a high school diploma because the pupils~~ failed to pass the high
44 school proficiency examination, reported for each school district,



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1 including, without limitation, each charter school in the district, and
2 for this State as a whole.

3 (cc) The number of habitual truants who are reported to a school
4 police officer or local law enforcement agency pursuant to
5 paragraph (a) of subsection 2 of NRS 392.144 and the number of
6 habitual truants who are referred to an advisory board to review
7 school attendance pursuant to paragraph (b) of subsection 2 of NRS
8 392.144, reported for each school district, including, without
9 limitation, each charter school in the district, and for this State as a
10 whole.

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

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

17 (2) For each school district, including, without limitation,
18 each charter school in the district, and for this State as a whole, the
19 number and percentage of all paraprofessionals who do not satisfy
20 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
21 requirements of this subparagraph apply to paraprofessionals who
22 are employed in programs supported with Title I money and to
23 paraprofessionals who are not employed in programs supported with
24 Title I money.

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

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

32 2. A separate reporting for a subgroup of pupils must not be
33 made pursuant to this section if the number of pupils in that
34 subgroup is insufficient to yield statistically reliable information or
35 the results would reveal personally identifiable information about an
36 individual pupil. The State Board shall prescribe a mechanism for
37 determining the minimum number of pupils that must be in a
38 subgroup for that subgroup to yield statistically reliable information.

39 3. The annual report of accountability must:

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

42 (b) Be prepared in a concise manner; and

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



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

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

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

9 (1) Governor;

10 (2) Committee;

11 (3) Bureau;

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

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

14 (6) Governing body of each charter school.

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

19 6. As used in this section:

20 (a) "Highly qualified" has the meaning ascribed to it in 20
21 U.S.C. § 7801(23).

22 (b) "Paraprofessional" has the meaning ascribed to it in
23 NRS 391.008.

24 **Sec. 2.** NRS 385.347 is hereby amended to read as follows:

25 385.347 1. The board of trustees of each school district in
26 this State, in cooperation with associations recognized by the State
27 Board as representing licensed *educational* personnel ~~[in education]~~
28 in the district, shall adopt a program providing for the accountability
29 of the school district to the residents of the district and to the State
30 Board for the quality of the schools and the educational achievement
31 of the pupils in the district, including, without limitation, pupils
32 enrolled in charter schools in the school district. The board of
33 trustees of each school district shall:

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

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

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

43 2. The board of trustees of each school district shall, on or
44 before August 15 of each year, prepare an annual report of
45 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



1 attendance of the pupils enrolled in the school with the attendance of
2 pupils throughout the district and throughout this State. The
3 information required by this subparagraph must be provided in
4 consultation with the Department to ensure the accuracy of the
5 comparison.

6 (h) The annual rate of pupils who drop out of school in *grades 6,*
7 *7 and 8 and a separate reporting of the annual rate of pupils who*
8 *drop out of school in* grades 9 to 12, inclusive, for each such grade,
9 for each school in the district and for the district as a whole . ~~†~~
10 ~~excluding~~ *The reporting for pupils in grades 9 to 12, inclusive,*
11 *excludes* pupils who:

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

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

17 (3) Withdraw from school to attend another school.

18 (i) Records of attendance of teachers who provide instruction,
19 for each school in the district and the district as a whole, including,
20 without limitation, each charter school in the district.

21 (j) Efforts made by the school district and by each school in the
22 district, including, without limitation, each charter school in the
23 district, to increase:

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

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

30 (k) Records of incidents involving weapons or violence for each
31 school in the district, including, without limitation, each charter
32 school in the district.

33 (l) Records of incidents involving the use or possession of
34 alcoholic beverages or controlled substances for each school in the
35 district, including, without limitation, each charter school in the
36 district.

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

39 (n) The number of pupils who are deemed habitual disciplinary
40 problems pursuant to NRS 392.4655, for each school in the district
41 and the district as a whole, including, without limitation, each
42 charter school in the district.

43 (o) The number of pupils in each grade who are retained in the
44 same grade pursuant to NRS 392.033 or 392.125, for each school in



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1 the district and the district as a whole, including, without limitation,
2 each charter school in the district.

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

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

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

16 (1) The amount and sources of money received for programs
17 of remedial study for each school in the district and the district as a
18 whole, including, without limitation, each charter school in the
19 district.

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

22 (s) For each high school in the district, including, without
23 limitation, each charter school in the district, the percentage of
24 pupils who graduated from that high school or charter school in the
25 immediately preceding year and enrolled in remedial courses in
26 reading, writing or mathematics at a university, state college or
27 community college within the Nevada System of Higher Education.

28 (t) The technological facilities and equipment available at each
29 school, including, without limitation, each charter school, and the
30 district's plan to incorporate educational technology at each school.

31 (u) For each school in the district and the district as a whole,
32 including, without limitation, each charter school in the district, the
33 number and percentage of pupils who received:

34 (1) A standard high school diploma ~~H~~, *reported separately*
35 *for pupils who received the diploma pursuant to:*

36 (I) *Paragraph (a) of subsection 1 of section 4 of this act;*
37 *and*

38 (II) *Paragraph (b) of subsection 1 of section 4 of this*
39 *act.*

40 (2) An adjusted diploma.

41 (3) A certificate of attendance.

42 (v) For each school in the district and the district as a whole,
43 including, without limitation, each charter school in the district, the
44 number and percentage of pupils who ~~did not receive a high school~~



1 ~~diploma because the pupils]~~ failed to pass the high school
2 proficiency examination.

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

9 (x) The amount and sources of money received for the training
10 and professional development of teachers and other educational
11 personnel for each school in the district and for the district as a
12 whole, including, without limitation, each charter school in the
13 district.

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

19 (z) Information on whether each public school in the district,
20 including, without limitation, each charter school in the district, has
21 made adequate yearly progress, including, without limitation:

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

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

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

32 (1) The number of paraprofessionals employed at the school;
33 and

34 (2) The number and percentage of all paraprofessionals who
35 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
36 reporting requirements of this subparagraph apply to
37 paraprofessionals who are employed in positions supported with
38 Title I money and to paraprofessionals who are not employed in
39 positions supported with Title I money.

40 (bb) For each high school in the district, including, without
41 limitation, each charter school that operates as a high school,
42 information that provides a comparison of the rate of graduation of
43 pupils enrolled in the high school with the rate of graduation of
44 pupils throughout the district and throughout this State. The
45 information required by this paragraph must be provided in



1 consultation with the Department to ensure the accuracy of the
2 comparison.

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

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

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

16 (a) Acquisition of knowledge or skills relating to the
17 professional development of the teacher; or

18 (b) Assignment of the teacher to perform duties for cocurricular
19 or extracurricular activities of pupils.

20 4. The annual report of accountability prepared pursuant to
21 subsection 2 must:

22 (a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations
23 adopted pursuant thereto; and

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

27 5. The Superintendent of Public Instruction shall:

28 (a) Prescribe forms for the reports required pursuant to
29 subsection 2 and provide the forms to the respective school districts.

30 (b) Provide statistical information and technical assistance to the
31 school districts to ensure that the reports provide comparable
32 information with respect to each school in each district and among
33 the districts throughout this State.

34 (c) Consult with a representative of the:

35 (1) Nevada State Education Association;

36 (2) Nevada Association of School Boards;

37 (3) Nevada Association of School Administrators;

38 (4) Nevada Parent Teacher Association;

39 (5) Budget Division of the Department of Administration;

40 and

41 (6) Legislative Counsel Bureau,

42 ➡ concerning the program and consider any advice or
43 recommendations submitted by the representatives with respect to
44 the program.



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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 389 of NRS is hereby amended by adding thereto the provisions set forth as sections 4 and 5 of this act.

Sec. 4. 1. A pupil must receive a standard high school diploma if he:



(a) *Passes all subject areas of the high school proficiency examination administered pursuant to NRS 389.015 and otherwise satisfies the requirements for graduation from high school; or*

(b) *Has failed to pass the high school proficiency examination administered pursuant to NRS 389.015 in its entirety not less than three times before beginning grade 12 and the pupil:*

(1) *Passes the subject areas of mathematics and reading on the proficiency examination;*

(2) *Has an overall grade point average of not less than 2.75 on a 4.0 grading scale;*

(3) *Satisfies the alternative criteria prescribed by the State Board pursuant to subsection 3; and*

(4) *Otherwise satisfies the requirements for graduation from high school.*

2. *A pupil with a disability who does not satisfy the requirements for receipt of a standard high school diploma may receive a diploma designated as an adjusted diploma if he satisfies the requirements set forth in his individualized education program. As used in this subsection, "individualized education program" has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).*

3. *The State Board shall adopt regulations that prescribe the alternative criteria for a pupil to receive a standard high school diploma pursuant to paragraph (b) of subsection 1, including, without limitation:*

(a) *An essay;*

(b) *A senior project; or*

(c) *A portfolio of work,*

↪ or any combination thereof, that demonstrate proficiency in the subject areas on the high school proficiency examination which the pupil failed to pass.

Sec. 5. 1. *A pupil may be granted credit for a specific course of study without having attended the regularly scheduled classes in the course if he demonstrates his competence to meet the objectives of the course through his performance on an examination prescribed by the State Board.*

2. *The State Board shall adopt regulations that prescribe the:*

(a) *Form on which a pupil may apply to the board of trustees of a school district in which he attends school to take an examination pursuant to subsection 1;*

(b) *Courses of study for which pupils may take an examination pursuant to subsection 1; and*

(c) *Minimum score on each such examination that is required to demonstrate competency in a course.*



Sec. 6. NRS 389.015 is hereby amended to read as follows:

389.015 1. The board of trustees of each school district shall administer examinations in all public schools of the school district. The governing body of a charter school shall administer the same examinations in the charter school. The examinations administered by the board of trustees and governing body must determine the achievement and proficiency of pupils in:

- (a) Reading;
- (b) Mathematics; and
- (c) Science.

2. The examinations required by subsection 1 must be:

(a) Administered before the completion of grades 4, 7, 10 and 11.

(b) Administered in each school district and each charter school at the same time during the spring semester. The time for the administration of the examinations must be prescribed by the State Board.

(c) Administered in each school in accordance with uniform procedures adopted by the State Board. The Department shall monitor the compliance of school districts and individual schools with the uniform procedures.

(d) Administered in each school in accordance with the plan adopted pursuant to NRS 389.616 by the Department and with the plan adopted pursuant to NRS 389.620 by the board of trustees of the school district in which the examinations are administered. The Department shall monitor the compliance of school districts and individual schools with:

(1) The plan adopted by the Department; and

(2) The plan adopted by the board of trustees of the applicable school district, to the extent that the plan adopted by the board of trustees of the school district is consistent with the plan adopted by the Department.

(e) Scored by a single private entity that has contracted with the State Board to score the examinations. The private entity that scores the examinations shall report the results of the examinations in the form and by the date required by the Department.

3. Not more than 14 working days after the results of the examinations are reported to the Department by a private entity that scored the examinations, the Superintendent of Public Instruction shall certify that the results of the examinations have been transmitted to each school district and each charter school. Not more than 10 working days after a school district receives the results of the examinations, the superintendent of schools of each school district shall certify that the results of the examinations have been transmitted to each school within the school district. Except as



otherwise provided in this subsection, not more than 15 working days after each school receives the results of the examinations, the principal of each school and the governing body of each charter school shall certify that the results for each pupil have been provided to the parent or legal guardian of the pupil:

(a) During a conference between the teacher of the pupil or administrator of the school and the parent or legal guardian of the pupil; or

(b) By mailing the results of the examinations to the last known address of the parent or legal guardian of the pupil.

➤ If a pupil fails the high school proficiency examination, the school shall notify the pupil and the parents or legal guardian of the pupil *of each subject area that the pupil failed* as soon as practicable but not later than 15 working days after the school receives the results of the examination.

4. If a pupil fails to demonstrate at least adequate achievement on the examination administered before the completion of grade 4, 7 or 10, he may be promoted to the next higher grade, but the results of his examination must be evaluated to determine what remedial study is appropriate. If such a pupil is enrolled at a school that has failed to make adequate yearly progress or in which less than 60 percent of the pupils enrolled in grade 4, 7 or 10 in the school who took the examinations administered pursuant to this section received an average score on those examinations that is at least equal to the 26th percentile of the national reference group of pupils to which the examinations were compared, the pupil must, in accordance with the requirements set forth in this subsection, complete remedial study that is determined to be appropriate for the pupil.

5. If a pupil fails to pass the *high school* proficiency examination, ~~administered before the completion of grade 11,~~ he must not be graduated ~~until~~ *unless* he ~~is~~ :

(a) *Is* able, through remedial study, to pass the proficiency examination ~~is~~ ; or

(b) *Passes the subject areas of mathematics and reading tested on the proficiency examination, has at least a 2.75 grade point average on a 4.0 grading scale and satisfies the alternative criteria prescribed by the State Board pursuant to section 4 of this act,*

➤ but he may be given a certificate of attendance, in place of a diploma, if he has reached the age of ~~17~~ *18* years.

6. The State Board shall prescribe standard examinations of achievement and proficiency to be administered pursuant to subsection 1. The high school proficiency examination must include the subjects of reading, mathematics and science and, except for the writing portion prescribed pursuant to NRS 389.550, must be developed, printed and scored by a nationally recognized testing



1 company in accordance with the process established by the testing
2 company. The examinations on reading, mathematics and science
3 prescribed for grades 4, 7 and 10 must be selected from
4 examinations created by private entities and administered to a
5 national reference group, and must allow for a comparison of the
6 achievement and proficiency of pupils in grades 4, 7 and 10 in this
7 State to that of a national reference group of pupils in grades 4, 7
8 and 10. The questions contained in the examinations and the
9 approved answers used for grading them are confidential, and
10 disclosure is unlawful except:

11 (a) To the extent necessary for administering and evaluating the
12 examinations.

13 (b) That a disclosure may be made to a:

14 (1) State officer who is a member of the Executive or
15 Legislative Branch to the extent that it is necessary for the
16 performance of his duties;

17 (2) Superintendent of schools of a school district to the
18 extent that it is necessary for the performance of his duties;

19 (3) Director of curriculum of a school district to the extent
20 that it is necessary for the performance of his duties; and

21 (4) Director of testing of a school district to the extent that it
22 is necessary for the performance of his duties.

23 (c) That specific questions and answers may be disclosed if the
24 Superintendent of Public Instruction determines that the content of
25 the questions and answers is not being used in a current examination
26 and making the content available to the public poses no threat to the
27 security of the current examination process.

28 **Sec. 7.** NRS 389.0173 is hereby amended to read as follows:

29 389.0173 1. The Department shall develop an informational
30 pamphlet concerning the high school proficiency examination for
31 pupils who are enrolled in junior high, middle school and high
32 school, and their parents and legal guardians. The pamphlet must
33 include a written explanation of the:

34 (a) Importance of passing the examination, including, without
35 limitation, an explanation that if the pupil fails the examination, *or*
36 *does not satisfy the requirements of paragraph (b) of subsection 1*
37 *of section 4 of this act*, he is not eligible to receive a standard high
38 school diploma;

39 (b) Subject areas tested on the examination;

40 (c) Format for the examination, including, without limitation,
41 the range of items that are contained on the examination;

42 (d) Manner by which the scaled score, as reported to pupils and
43 their parents or legal guardians, is derived from the raw score;

44 (e) Timeline by which the results of the examination must be
45 reported to pupils and their parents or legal guardians;



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(f) Maximum number of times that a pupil is allowed to take the examination if he fails to pass the examination after the first administration;

(g) Courses of study that the Department recommends that pupils take to prepare the pupils to successfully meet the academic challenges of the examination and pass the examination; and

(h) Courses of study which the Department recommends that pupils take in high school to successfully prepare for the college entrance examinations.

2. The Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as it considers necessary to ensure that pupils and their parents or legal guardians fully understand the examination.

3. On or before September 1, the Department shall provide a copy of the pamphlet or revised pamphlet to the board of trustees of each school district and the governing body of each charter school that includes pupils enrolled in a junior high, middle school or high school grade level.

4. The board of trustees of each school district shall provide a copy of the pamphlet to each junior high, middle school or high school within the school district for posting. The governing body of each charter school shall ensure that a copy of the pamphlet is posted at the charter school. Each principal of a junior high, middle school, high school or charter school shall ensure that the teachers, counselors and administrators employed at the school fully understand the contents of the pamphlet.

5. On or before January 15, the:

(a) Board of trustees of each school district shall provide a copy of the pamphlet to each pupil who is enrolled in a junior high, middle school or high school of the school district and to the parents or legal guardians of such a pupil.

(b) Governing body of each charter school shall provide a copy of the pamphlet to each pupil who is enrolled in the charter school at a junior high, middle school or high school grade level and to the parents or legal guardians of such a pupil.

Sec. 8. NRS 392.033 is hereby amended to read as follows:

392.033 1. The State Board shall adopt regulations which prescribe the courses of study required for promotion to high school, which may include the credits to be earned.

2. ~~[The]~~ *Except as otherwise provided in subsection 4, the* board of trustees of a school district shall not promote a pupil to high school if the pupil does not complete the course of study or credits required for promotion. The board of trustees of the school district in which the pupil is enrolled may provide programs to complete the courses of study required for promotion to high school.



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3. The board of trustees of each school district shall adopt a procedure for evaluating the course of study or credits completed by a pupil who transfers to a junior high or middle school from a junior high or middle school in this State or from a school outside of this State.

4. The board of trustees of each school district shall adopt a policy that allows a pupil who has not completed the courses of study or credits required for promotion to high school to be placed on academic probation and to enroll in high school or otherwise earn the credits required in high school while the pupil completes the requirements for promotion to high school pursuant to this section. The policy must include the criteria for eligibility of a pupil to be placed on academic probation.

Sec. 9. NRS 392.040 is hereby amended to read as follows:

392.040 1. Except as otherwise provided by law, each parent, custodial parent, guardian or other person in the State of Nevada having control or charge of any child between the ages of 7 and ~~17~~ 18 years shall send the child to a public school during all the time the public school is in session in the school district in which the child resides ~~17~~ *unless the child has graduated from high school.*

2. A child who is 5 years of age on or before September 30 of a school year may be admitted to kindergarten at the beginning of that school year, and his enrollment must be counted for purposes of apportionment. If a child is not 5 years of age on or before September 30 of a school year, the child must not be admitted to kindergarten.

3. Except as otherwise provided in subsection 4, a child who is 6 years of age on or before September 30 of a school year must:

(a) If he has not completed kindergarten, be admitted to kindergarten at the beginning of that school year; or

(b) If he has completed kindergarten, be admitted to the first grade at the beginning of that school year,

➡ and his enrollment must be counted for purposes of apportionment. If a child is not 6 years of age on or before September 30 of a school year, the child must not be admitted to the first grade until the beginning of the school year following his sixth birthday.

4. The parents, custodial parent, guardian or other person within the State of Nevada having control or charge of a child who is 6 years of age on or before September 30 of a school year may elect for the child not to attend kindergarten or the first grade during that year. The parents, custodial parent, guardian or other person who makes such an election shall file with the board of trustees of the appropriate school district a waiver in a form prescribed by the board.



5. Whenever a child who is 6 years of age is enrolled in a public school, each parent, custodial parent, guardian or other person in the State of Nevada having control or charge of the child shall send him to the public school during all the time the school is in session. If the board of trustees of a school district has adopted a policy prescribing a minimum number of days of attendance for pupils enrolled in kindergarten or first grade pursuant to NRS 392.122, the school district shall provide to each parent and legal guardian of a pupil who elects to enroll his child in kindergarten or first grade a written document containing a copy of that policy and a copy of the policy of the school district concerning the withdrawal of pupils from kindergarten or first grade. Before the child's first day of attendance at a school, the parent or legal guardian shall sign a statement on a form provided by the school district acknowledging that he has read and understands the policy concerning attendance and the policy concerning withdrawal of pupils from kindergarten or first grade. The parent or legal guardian shall comply with the applicable requirements for attendance. This requirement for attendance does not apply to any child under the age of 7 years who has not yet been enrolled or has been formally withdrawn from enrollment in public school.

6. A child who is 7 years of age on or before September 30 of a school year must:

(a) If he has completed kindergarten and the first grade, be admitted to the second grade.

(b) If he has completed kindergarten, be admitted to the first grade.

(c) If the parents, custodial parent, guardian or other person in the State of Nevada having control or charge of the child waived the child's attendance from kindergarten pursuant to subsection 4, undergo an assessment by the district pursuant to subsection 7 to determine whether the child is prepared developmentally to be admitted to the first grade. If the district determines that the child is prepared developmentally, he must be admitted to the first grade. If the district determines that the child is not so prepared, he must be admitted to kindergarten.

➤ The enrollment of any child pursuant to this subsection must be counted for apportionment purposes.

7. Each school district shall prepare and administer before the beginning of each school year a developmental screening test to a child:

(a) Who is 7 years of age on or before September 30 of the next school year; and

(b) Whose parents waived his attendance from kindergarten pursuant to subsection 4,



1 ➔ to determine whether the child is prepared developmentally to be
2 admitted to the first grade. The results of the test must be made
3 available to the parents, custodial parent, guardian or other person
4 within the State of Nevada having control or charge of the child.

5 8. A child who becomes a resident of this State after
6 completing kindergarten or beginning first grade in another state in
7 accordance with the laws of that state may be admitted to the grade
8 he was attending or would be attending had he remained a resident
9 of the other state regardless of his age, unless the board of trustees
10 of the school district determines that the requirements of this section
11 are being deliberately circumvented.

12 9. As used in this section, "kindergarten" includes:

13 (a) A kindergarten established by the board of trustees of a
14 school district pursuant to NRS 388.060;

15 (b) A kindergarten established by the governing body of a
16 charter school; and

17 (c) An authorized program of instruction for kindergarten
18 offered in a child's home pursuant to NRS 388.060.

19 **Sec. 10.** NRS 392.110 is hereby amended to read as follows:

20 392.110 1. Any child between the ages of 14 and ~~17~~ 18
21 years who has completed the work of the first eight grades may be
22 excused from full-time school attendance and may be permitted to
23 enter proper employment or apprenticeship, by the written authority
24 of the board of trustees excusing the child from such attendance.
25 The board's written authority ~~{shall}~~ **must** state the reason or
26 reasons for such excuse.

27 2. In all such cases no employer or other person shall employ
28 or contract for the services or time of such child until the child
29 presents a written permit therefor from the attendance officer or
30 board of trustees. The permit ~~{shall}~~ **must** be kept on file by the
31 employer ~~{}~~ and , upon the termination of employment ~~{shall}~~ ,
32 **must** be returned by the employer to the board of trustees or other
33 authority issuing it.

34 **Sec. 11.** NRS 392.130 is hereby amended to read as follows:

35 392.130 1. Within the meaning of this chapter, a pupil shall
36 be deemed a truant who is absent from school without the written
37 approval of his teacher or the principal of the school, unless the
38 pupil is physically or mentally unable to attend school. The teacher
39 or principal shall give his written approval for a pupil to be absent if
40 an emergency exists or upon the request of a parent or legal
41 guardian of the pupil. Before a pupil may attend or otherwise
42 participate in school activities outside the classroom during regular
43 classroom hours, he must receive the approval of the teacher or
44 principal.



2. An unapproved absence for at least one period, or the equivalent of one period for the school, of a school day may be deemed a truancy for the purposes of this section.

3. If a pupil is physically or mentally unable to attend school, the parent or legal guardian or other person having control or charge of the pupil shall notify the teacher or principal of the school orally or in writing, in accordance with the policy established by the board of trustees of the school district, within 3 days after the pupil returns to school.

4. An absence which has not been approved pursuant to subsection 1 or 3 shall be deemed an unapproved absence. In the event of an unapproved absence, the teacher, attendance officer or other school official shall deliver or cause to be delivered a written notice of truancy to the parent, legal guardian or other person having control or charge of the child. The written notice must be delivered to the parent, legal guardian or other person who has control of the child. The written notice must inform the parents or legal guardian of such absences in a form specified by the Department.

5. As used in this section, "physically or mentally unable to attend" does not include a physical or mental condition for which a pupil is excused pursuant to NRS 392.050.

6. ~~[Notwithstanding the provisions of NRS 392.040 to the contrary, the]~~ *The* provisions of this section apply to all pupils who are ~~[less than 18 years of age and enrolled in public schools, including, without limitation, pupils who are 17 years of age or older but less than 18 years of age.]~~ *required to attend school pursuant to NRS 392.040.*

Sec. 12. NRS 392.140 is hereby amended to read as follows:

392.140 1. Any child who has been declared a truant three or more times within one school year must be declared a habitual truant.

2. Any child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without the written:

(a) Approval of his teacher or the principal of the school pursuant to subsection 1 of NRS 392.130; or

(b) Notice of his parent or legal guardian or other person who has control or charge over the pupil pursuant to subsection 3 of NRS 392.130,

➔ may again be declared a habitual truant.

3. ~~[Notwithstanding the provisions of NRS 392.040 to the contrary, the]~~ *The* provisions of this section apply to all pupils who are ~~[less than 18 years of age and enrolled in public schools, including, without limitation, pupils who are 17 years of age or~~



~~older but less than 18 years of age.] required to attend school pursuant to NRS 392.040.~~

Sec. 13. NRS 392.141 is hereby amended to read as follows:

392.141 ~~[Notwithstanding the provisions of NRS 392.040 to the contrary, the]~~ *The* provisions of NRS 392.144, 392.146 and 392.147 apply to all pupils who are ~~[less than 18 years of age and enrolled in public schools, including, without limitation, pupils who are 17 years of age or older but less than 18 years of age.]~~ *required to attend school pursuant to NRS 392.040.*

Sec. 14. NRS 392.149 is hereby amended to read as follows:

392.149 1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, if it appears after investigation that a pupil is a habitual truant, the school police officer or law enforcement agency to whom the report is made shall prepare manually or electronically a citation directing the pupil to appear in the proper juvenile court.

2. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:

(a) The local law enforcement agency;

(b) A school police officer employed by the board of trustees of the school district; or

(c) An attendance officer appointed by the board of trustees of the school district.

3. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.

4. ~~[Notwithstanding the provisions of NRS 392.040 to the contrary, the]~~ *The* provisions of this section apply to all pupils who are ~~[less than 18 years of age and enrolled in public schools, including, without limitation, pupils who are 17 years of age or older but less than 18 years of age.]~~ *required to attend school pursuant to NRS 392.040.*

Sec. 15. NRS 392.160 is hereby amended to read as follows:

392.160 1. Any peace officer, the attendance officer or any other school officer shall, during school hours, take into custody without warrant:

(a) Any child between the ages of 7 and ~~[17]~~ *18* years; and

(b) Any child who has arrived at the age of 6 years but not at the age of 7 years and is enrolled in a public school,

↳ who has been reported to him by the teacher, superintendent of schools or other school officer as an absentee from instruction upon which he is lawfully required to attend.

2. ~~[Any peace officer, the attendance officer or any other school officer shall, during school hours, take into custody without warrant any child who is 17 years of age or older but less than 18 years of age if:~~



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~~(a) The child is enrolled in a public school; and~~
~~(b) A teacher, superintendent of schools or other school officer~~
~~has reported the child as absent from instruction.~~

~~3.]~~ Except as otherwise provided in subsection ~~[4.]~~ 3:

(a) During school hours, the officer having custody shall forthwith deliver the child to the superintendent of schools, principal or other school officer at the child's school of attendance.

(b) After school hours, the officer having custody shall deliver the child to the parent, guardian or other person having control or charge of the child.

~~[4.]~~ 3. The board of trustees of a school district or the governing body of a charter school may enter into an agreement with a counseling agency to permit delivery of the child to the agency. For the purposes of this subsection, "counseling agency" means an agency designated by the school district in which the child is enrolled to provide counseling for the child and the parent, guardian or other person having control or charge of the child.

Sec. 16. NRS 392.170 is hereby amended to read as follows:

392.170 Upon the written complaint of any person, the board of trustees of a school district or the governing body of a charter school shall:

1. Make a full and impartial investigation of all charges against parents, guardians or other persons having control or charge of any child who is ~~[17]~~ *under 18* years of age ~~for younger~~ *and required to attend school pursuant to NRS 392.040* for violation of any of the provisions of NRS 392.040 to 392.110, inclusive, or 392.130 to 392.160, inclusive.

2. Make and file a written report of the investigation and the findings thereof in the records of the board.

Sec. 17. NRS 392.180 is hereby amended to read as follows:

392.180 If it appears upon investigation that any parent, guardian or other person having control or charge of any child who is ~~[17]~~ *under 18* years of age ~~for younger~~ *and required to attend school pursuant to NRS 392.040* has violated any of the provisions of NRS 392.040 to 392.110, inclusive, or 392.130 to 392.160, inclusive, the clerk of the board of trustees or the governing body of a charter school in which the child is enrolled, except as otherwise provided in NRS 392.190, shall make and file in the proper court a criminal complaint against the parent, guardian or other person, charging the violation, and shall see that the charge is prosecuted by the proper authority.

Sec. 18. NRS 392.200 is hereby amended to read as follows:

392.200 Any taxpayer, school administrator, school officer or deputy school officer in the State of Nevada may make and file in the proper court a criminal complaint against a parent, guardian or



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1 other person who has control or charge of any child who is ~~17~~
2 *under 18* years of age ~~for younger~~ and *required to attend school*
3 *pursuant to NRS 392.040* who violates any of the provisions of law
4 requiring the attendance of children in the public schools of this
5 State.

6 **Sec. 19.** NRS 392.215 is hereby amended to read as follows:

7 392.215 Any parent, guardian or other person who, with intent
8 to deceive under NRS 392.040 to 392.110, inclusive, or 392.130 to
9 392.165, inclusive:

10 1. Makes a false statement concerning the age or attendance at
11 school;

12 2. Presents a false birth certificate or record of attendance at
13 school; or

14 3. Refuses to furnish a suitable identifying document, record of
15 attendance at school or proof of change of name, upon request by a
16 local law enforcement agency conducting an investigation in
17 response to notification pursuant to subsection 4 of NRS 392.165,
18 of a child under ~~17~~ *18* years of age who is under his control or
19 charge, is guilty of a misdemeanor.

20 **Sec. 20.** NRS 394.145 is hereby amended to read as follows:

21 394.145 1. A private elementary or secondary school in this
22 state shall not permanently admit any child until the parent or
23 guardian of the child furnishes a birth certificate or other document
24 suitable as proof of the child's identity and, if applicable, a copy of
25 the child's records from the school he most recently attended.

26 2. Except as otherwise provided in subsection 3, a child must
27 be admitted to a school under his name as it appears in the
28 identifying document or records required by subsection 1, unless the
29 parent or guardian furnishes a court order or decree authorizing a
30 change of name or directing the principal or other person in charge
31 of that school to admit the child under a name other than the name
32 which appears in the identifying document or records.

33 3. A child who is in the custody of the agency which provides
34 child welfare services, as defined in NRS 432B.030, may be
35 admitted to a school under a name other than the name which
36 appears in the identifying document or records required by
37 subsection 1 if the court determines that to do so would be in the
38 best interests of the child.

39 4. If the parent or guardian fails to furnish the identifying
40 document or records required by subsection 1 within 30 days after
41 the child is conditionally admitted, the principal or other person in
42 charge of the school shall notify the local law enforcement agency
43 and request a determination as to whether the child has been
44 reported as missing.



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1 5. Any parent, guardian or other person who, with intent to
2 deceive under this section:

3 (a) Presents a false birth certificate or record of attendance at
4 school; or

5 (b) Refuses to furnish a suitable identifying document, record of
6 attendance at school or proof of change of name, upon request by a
7 local law enforcement agency conducting an investigation in
8 response to notification pursuant to subsection 4,

9 ➔ of a child under ~~17~~ 18 years of age who is under his control or
10 charge, is guilty of a misdemeanor.

11 **Sec. 21.** On or before January 1, 2008, the State Board of
12 Education shall adopt regulations that prescribe, in accordance with
13 section 4 of this act, the alternative criteria for receipt of a
14 standard high school diploma. The regulations must be effective on
15 January 1, 2008, for application to the pupils who graduate in 2008
16 and thereafter.

17 **Sec. 22.** This act becomes effective on July 1, 2007.

