

Amendment No. 1158

Senate Amendment to Senate Bill No. 540 First Reprint (BDR 34-113)

Proposed by: Senate Committee on Human Resources and Education**Resolves Conflicts with:** A.B. 567**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold** is newly added transitory language.

SLP/TMC



Date: 6/4/2007

S.B. No. 540—Revises provisions governing the system of public education in this State. (BDR 34-113)



SENATE BILL NO. 540—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

MARCH 26, 2007

Referred to Committee on Finance

SUMMARY—Revises provisions governing the system of public education in this State. (BDR 34-113)

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 the duties and powers of the Superintendent of Public Instruction; revising provisions relating to the appointment of the Superintendent of Public Instruction; ~~making the Commission on Educational Excellence an advisory body;~~ making the Commission on Educational Technology an advisory body; making the Council to Establish Academic Standards for Public Schools an advisory body; revising provisions relating to the regional training programs for the professional development of teachers and administrators; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Department of Education, which consists of the State Board of Education, the State Board for Career and Technical Education and the Superintendent of Public Instruction. (NRS 385.010) ~~[Section 1 of this bill adds the Governor or his designee as a member of the State Board of Education and prescribes certain authority of the Governor as a member of the State Board.]~~

Section 6 of this bill provides for the appointment of the Superintendent of Public Instruction by the Governor instead of the State Board of Education. (NRS 385.150)

~~[Existing law creates the Commission on Educational Excellence to establish programs of educational excellence and award grants of money to certain public schools and school districts. (NRS 385.3781-385.379) Sections 10-13 of this bill make the Commission an advisory body. The Advisory Commission on Educational Excellence makes recommendations for allocations to the Legislative Committee on Education, with final approval by the Interim Finance Committee.]~~

Existing law creates the Commission on Educational Technology to establish a plan for the use of educational technology in the public schools of this State. (NRS 388.780-388.805) **Sections 16-20** of this bill make the Commission an advisory body to the Superintendent of Public Instruction and require the Superintendent and the Department to carry out the duties formerly assigned to the Commission.

Under existing law the Council to Establish Academic Standards for Public Schools establishes the academic standards that will be taught in the public schools in this State. (NRS 389.500-389.570) **Sections 21-26** of this bill make the Council an advisory body to the

Superintendent of Public Instruction, who will be responsible for carrying out the duties formerly assigned to the Council.

Existing law creates four regional training programs for the professional development of teachers and administrators with specified geographical boundaries and requires certain school districts to serve as the fiscal agents of each of the regional training programs. (NRS 391.500-391.556) **Sections 29-32** of this bill eliminate the specified geographical boundaries and require the Superintendent of Public Instruction to prescribe the geographical boundaries of the four regional training programs. The Superintendent is also required to select the school district to serve as fiscal agent for each regional training program.

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

Section 1. ~~[NRS 385.021 is hereby amended to read as follows:~~

~~385.021 1. The State Board consists of [10] **11 members as follows:**~~
~~(a) **The Governor or his designee; and**~~
~~(b) **Ten members** elected by the registered voters within the districts described in NRS 385.0225 to 385.0265, inclusive.~~
~~2. Each **elected** member of the State Board must be a resident of the district from which that member is elected.~~
~~3. At the general election in 2002, and every 4 years thereafter, one member of the State Board must be elected for a term of 4 years from Districts Numbers 2, 5, 6 and 10.~~
~~4. At the general election in 2004, and every 4 years thereafter, one member of the State Board must be elected for a term of 4 years from Districts Numbers 1, 3, 4, 7, 8 and 9.~~
~~5. If a vacancy occurs on the State Board, the Governor shall appoint a member to fill the vacancy until the next general election, at which election a member must be chosen for the balance of the unexpired term. The appointee must be a resident of the district where the vacancy occurs.~~
~~6. No member of the State Board may be elected to the office more than three times.] (Deleted by amendment.)~~

Sec. 2. NRS 385.030 is hereby amended to read as follows:

385.030 1. At ~~[its]~~ **the** first meeting **of the State Board** after each election and qualification of newly elected members, the ~~[State Board of Education shall organize by electing]~~ **Governor shall select** one of ~~[its]~~ **the** members **of the State Board** as President, to serve at the pleasure of the ~~[Board.]~~ **Governor.**

2. The Superintendent of Public Instruction is the Secretary of the **State** Board and shall serve without additional salary.

Sec. 3. NRS 385.040 is hereby amended to read as follows:

385.040 1. The State Board ~~[of Education]~~ may hold at least four regular meetings annually at the state capital. The Secretary shall call all regular meetings.

2. The Board may hold special meetings at such other times and places as the Board may direct. The Secretary shall call special meetings upon the written request of the **Governor, the** President or any three members of the Board.

3. **The Governor may direct that an item be included on the agenda of a meeting of the State Board for consideration.**

4. A majority of the Board constitutes a quorum for the transaction of business, and no action of the Board is valid unless that action receives, at a legally called meeting, the approval of a majority of all board members.

Sec. 4. ~~[NRS 385.080 is hereby amended to read as follows:~~

~~385.080 [The]~~

~~1. Except as otherwise provided in this section, the State Board may adopt regulations for its own government and as necessary for the execution of the powers and duties conferred upon it by law.~~

~~2. The Governor may disapprove any action taken or regulation adopted by the State Board.~~

~~3. An action or regulation shall be deemed approved if the Governor does not disapprove the regulation within 30 days after it is adopted by the State Board.~~ (Deleted by amendment.)

Sec. 5. NRS 385.110 is hereby amended to read as follows:

385.110 1. Except as otherwise provided in subsections 2 and 3, the State Board shall prescribe and cause to be enforced the courses of study for the public schools of this State. The courses of study prescribed and enforced by the State Board must comply with the standards of content and performance established by the ~~{Council to Establish Academic Standards for Public Schools}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520.

2. For those courses of study prescribed by the State Board:

(a) High schools may have modified courses of study, subject to the approval of the State Board; and

(b) Any high school offering courses normally accredited as being beyond the level of the 12th grade shall, before offering such courses, have them approved by the State Board.

3. A charter school is not required to offer the courses of study prescribed by the State Board except for those courses of study which are required for promotion to the next grade or graduation from high school.

Sec. 6. NRS 385.150 is hereby amended to read as follows:

385.150 1. The ~~{State Board}~~ *Governor* shall appoint the Superintendent of Public Instruction for a term of ~~{3}~~ *4* years. The ~~{State Board}~~ *Governor* may remove the Superintendent of Public Instruction from office for inefficiency, neglect of duty, malfeasance in office or for other just cause.

2. A vacancy must be filled by the ~~{State Board}~~ *Governor* for the remainder of the unexpired term ~~{}~~ *in the manner prescribed in this section.*

3. The Superintendent of Public Instruction is in the unclassified service of the State.

4. *The appointment of the Superintendent of Public Instruction must be made from a list of names of at least three persons that is submitted to the Governor by the search committee convened pursuant to subsection 5.*

5. *Before the expiration of the term of the Superintendent of Public Instruction or in the event of a vacancy, the Governor shall convene a search committee to recommend candidates for appointment as the Superintendent of Public Instruction. The search committee must consist of the following members:*

(a) *A member of the State Board, appointed by the President of the Board;*

(b) *Two members appointed by the Governor;*

(c) *A member who is not a Legislator, appointed by the Majority Leader of the Senate; and*

(d) *A member who is not a Legislator, appointed by the Speaker of the Assembly.*

6. *The search committee shall:*

(a) *Solicit the names of potential candidates for appointment as the Superintendent of Public Instruction;*

(b) *Review the qualifications of each potential candidate;*

(c) *Conduct interviews of potential candidates; and*

(d) *Recommend to the Governor not less than three persons as candidates for appointment as the Superintendent of Public Instruction.*

1 **Sec. 7.** NRS 385.170 is hereby amended to read as follows:

2 385.170 The Superintendent *of Public Instruction* shall not pursue any other
3 business or occupation or hold any other office of profit without the approval of the
4 ~~{State Board of Education.}~~ *Governor.*

5 **Sec. 8.** NRS 385.175 is hereby amended to read as follows:

6 385.175 The Superintendent of Public Instruction shall:

7 1. Execute, direct or supervise all administrative, technical and procedural
8 activities of the Department . ~~{in accordance with policies prescribed by the State~~
9 ~~Board.}~~

10 2. *Oversee the activities of the:*

11 (a) *Advisory Commission on Educational Technology; and*

12 (b) *Advisory Council for Academic Standards in the Public Schools.*

13 3. Employ , *within the limits of available money*, personnel for the positions
14 ~~{approved by the State Board and}~~ necessary for the efficient operation of the
15 Department.

16 ~~{3.}~~ 4. Organize the Department in a manner which will assure efficient
17 operation and service.

18 ~~{4.}~~ 5. Maintain liaison and coordinate activities with other state agencies
19 performing educational functions.

20 ~~{5.}~~ 6. Perform such other duties as are prescribed by law.

21 **Sec. 9.** NRS 385.330 is hereby amended to read as follows:

22 385.330 1. Professional staff and other personnel appointed by the
23 Superintendent of Public Instruction shall perform such duties as are assigned by
24 the Superintendent.

25 2. The Superintendent of Public Instruction ~~{, under the policies of the State~~
26 ~~Board,}~~ shall locate the offices of professional staff and other personnel where the
27 needs of the education program can best be served.

28 **Sec. 10.** ~~{NRS 385.3783 is hereby amended to read as follows:~~

29 ~~385.3783 [“Commission”] “Advisory Commission” means the Advisory~~
30 ~~Commission on Educational Excellence created by NRS 385.3784.}~~ **(Deleted by**
31 **amendment.)**

32 **Sec. 11.** ~~{NRS 385.3784 is hereby amended to read as follows:~~

33 ~~385.3784 1. The Advisory Commission on Educational Excellence,~~
34 ~~consisting of [nine] eight members, is hereby created. [The Superintendent of~~
35 ~~Public Instruction shall serve as an ex officio voting member of the Commission.]~~
36 ~~The Governor shall appoint the following members to the Advisory Commission:~~

37 ~~—(a) Three teachers, two of whom have experience in providing instruction at~~
38 ~~public elementary schools and who have been successful in school improvement~~
39 ~~efforts and one of whom has experience in providing instruction at secondary~~
40 ~~schools and who has been successful in school improvement efforts;~~

41 ~~—(b) Two principals, one of whom has experience in administering successful~~
42 ~~school improvement efforts at an elementary school and one of whom has~~
43 ~~experience in administering successful school improvement efforts at a secondary~~
44 ~~school;~~

45 ~~—(c) Two school district administrators, one of whom is employed by a school~~
46 ~~district in a county whose population is less than 100,000 and one of whom is~~
47 ~~employed by a school district in a county whose population is 100,000 or more; and~~

48 ~~—(d) One parent or legal guardian of a pupil enrolled in a public school in this~~
49 ~~State;~~

50 ~~→ One or more of the members appointed pursuant to this subsection may be~~
51 ~~retired from employment, but those retired members that are appointed must have~~
52 ~~been employed with a public school in this State in the immediately preceding 5~~
53 ~~years.~~

~~2. The Governor may solicit recommendations for appointments pursuant to this section from the Nevada State Education Association, the Nevada Association of School Administrators, a statewide organization for parents of pupils, the Statewide Council for the Coordination of the Regional Training Programs and other organizations and entities related to education in this State. The Governor may consider the recommendations submitted and may make appointments from those recommendations. The Governor shall appoint a Chairman from among the members he appoints.~~

~~3. After the initial terms, the term of each [appointed] member of the Advisory Commission is 2 years, commencing on January 1 of the year in which he is appointed and expiring on December 31 of the immediately following year. A member shall continue to serve on the Advisory Commission until his successor is appointed. Upon the expiration of a term of a member, he may be reappointed if he still possesses any requisite qualifications for appointment. There is no limit on the number of terms that a member may serve.~~

~~4. The Advisory Commission shall hold at least four regular meetings each year and may hold special meetings at the call of the Chairman.~~

~~5. Members of the Advisory Commission serve without compensation, except that for each day or portion of a day during which a member of the Advisory Commission attends a meeting of the Advisory Commission or is otherwise engaged in the business of the Advisory Commission, he is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. The per diem allowances and travel expenses must be paid from the Account and accounted for separately in that Account. In addition, money in the Account may be used to pay compensation necessary for the employment of substitute teachers who are hired on those days when a member of the Advisory Commission attends a meeting of the Advisory Commission or is otherwise engaged in the business of the Advisory Commission.~~

~~6. The Department shall provide:~~

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

~~as is necessary for the Advisory Commission to carry out its duties.~~

~~7. The Legislative Counsel Bureau:~~

- ~~(a) Must be provided with adequate notice of each meeting of the Advisory Commission; and~~
- ~~(b) Shall provide, as requested by the Committee, technical expertise and assistance to the Advisory Commission. (Deleted by amendment.)~~

Sec. 12. [NRS 385.3785 is hereby amended to read as follows:]

~~385.3785 1. The Advisory Commission shall:~~

~~(a) Establish a program of educational excellence designed exclusively for pupils enrolled in kindergarten through grade 6 in public schools in this State based upon:~~

~~(1) The plan to improve the achievement of pupils prepared by the State Board pursuant to NRS 385.34691;~~

~~(2) The plan to improve the achievement of pupils prepared by the board of trustees of each school district pursuant to NRS 385.348;~~

~~(3) The plan to improve the achievement of pupils prepared by the principal of each school pursuant to NRS 385.357, which may include a program of innovation; and~~

~~(4) Any other information that the Advisory Commission considers relevant to the development of the program of educational excellence.~~

~~— (b) Identify programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.~~

~~— (c) Develop a concise application and simple procedures for the submission of applications by school districts and public schools, including, without limitation, charter schools, for participation in a program of educational excellence and for grants of money from the Account. Grants of money must be made for programs designed for the achievement of pupils that are linked to the plan to improve the achievement of pupils or for innovative programs, or both. All school districts and public schools, including, without limitation, charter schools, are eligible to submit such an application, regardless of whether the school district or school has made adequate yearly progress or failed to make adequate yearly progress. [A school district or public school selected for participation may be approved by the Commission for participation for a period not to exceed 2 years, but may reapply.]~~

~~— (d) Prescribe a long-range timeline for the review, approval and evaluation of applications received from school districts and public schools that desire to participate in the program.~~

~~— (e) Prescribe accountability measures to be carried out by a school district or public school that participates in the program if that school district or public school does not meet the annual measurable objectives established by the State Board pursuant to NRS 385.361, including, without limitation:~~

~~— (1) The specific levels of achievement expected of school districts and schools that participate; and~~

~~— (2) Conditions for school districts and schools that do not meet the grant criteria but desire to continue participation in the program and receive money from the Account, including, without limitation, a review of the leadership at the school and recommendations regarding changes to the appropriate body.~~

~~— (f) Determine the amount of money that is available from the Account for those school districts and public schools that are selected to participate in the program.~~

~~— (g) [Allocate] *Recommend to the Committee allocations of* money to school districts and public schools from the Account. [Allocations must be distributed not later than August 15 of each year.]~~

~~— (h) Establish criteria for school districts and public schools that participate in the program and receive an allocation of money from the Account to evaluate the effectiveness of the allocation in improving the achievement of pupils, including, without limitation, a detailed analysis of:~~

~~— (1) The achievement of pupils enrolled at each school that received money from the allocation based upon measurable criteria identified in the plan to improve the achievement of pupils for the school prepared pursuant to NRS 385.357;~~

~~— (2) If applicable, the achievement of pupils enrolled in the school district as a whole, based upon measurable criteria identified in the plan to improve the achievement of pupils for the school district prepared pursuant to NRS 385.248;~~

~~— (3) If applicable, the effectiveness of the program of innovation on the achievement of pupils and the overall effectiveness for pupils and staff;~~

~~— (4) The implementation of the applicable plans for improvement, including, without limitation, an analysis of whether the school district or the school is meeting the measurable objectives identified in the plan; and~~

~~— (5) The attainment of measurable progress on the annual list of adequate yearly progress of school districts and schools.~~

~~2. *The Advisory Commission shall, on or before June 1 of each year, recommend to the Committee allocations of money for the school districts and public schools that participate in the program. The Committee shall review the*~~

~~recommendations of the Advisory Commission and determine which applications to transmit, with recommendations, to the State Board of Examiners.~~

~~3. The State Board of Examiners, or the Clerk of the Board if authorized by the Board to act on its behalf, shall consider each application and, if it finds that an allocation of money should be made, recommend the amount of each allocation to the Interim Finance Committee. The Interim Finance Committee shall consider each recommendation submitted by the State Board of Examiners, but is not bound to follow the recommendations of the State Board of Examiners when determining the allocation of money for each school district and school.~~

~~4. To the extent money is available, the [Commission] Interim Finance Committee shall make allocations of money to school districts and public schools for effective programs for grades 7 through 12 that are designed to improve the achievement of pupils and effective programs of innovation for pupils. [In making such allocations, the Commission shall comply with the requirements of subsection 1.]~~

~~3.] A school district or public school selected for participation may be approved by the Interim Finance Committee for participation for a period not to exceed 2 years, but may reapply.~~

~~5. Allocations of money must be distributed not later than August 15 of each year.~~

~~6. If a school district or public school that receives money pursuant to subsection [1 or 2] 4 does not meet the criteria for effectiveness as prescribed in paragraph (h) of subsection 1 over a 2-year period, the Advisory Commission may consider not [awarding] recommending future allocations of money to that school district or public school.~~

~~[4.] 7. On or before July 1 of each year, the Department shall provide a list of priorities of schools based upon the adequate yearly progress status of schools in the immediately preceding year for consideration by the Advisory Commission in its development of procedures for the applications.~~

~~[5.] 8. In carrying out the requirements of this section, the Advisory Commission shall review and consider the programs of remedial study adopted by the Department pursuant to NRS 385.389, the list of approved providers of supplemental services maintained by the Department pursuant to NRS 385.384 and the recommendations submitted by the Committee pursuant to NRS 218.5354 concerning programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.] (Deleted by amendment.)~~

Sec. 13. ~~[NRS 385.3789 is hereby amended to read as follows:]~~

~~385.3789 1. The Advisory Commission shall prepare an annual report that describes the distribution of money to the school districts and public schools and the programs for which money was allocated from the Account. The report must be submitted on or before September 1 of each year to the entities identified in subsection 3.~~

~~2. The Advisory Commission shall:~~

~~(a) Prepare an annual report that describes:~~

~~(1) The activities of the Advisory Commission;~~

~~(2) An analysis of the progress of the school districts and public schools in carrying out the plans to improve the achievement of pupils; and~~

~~(3) An analysis of the progress of the school district and public schools that received an allocation of money from the Account in improving the achievement of pupils.~~

~~(b) Submit the report on or before January 31 of each year to the entities identified in subsection 3.~~

~~3. The Advisory Commission shall submit the reports required by this section to the:~~

~~(a) State Board;~~

~~(b) Governor;~~

~~(c) Committee;~~

~~(d) Bureau;~~

~~(e) Interim Finance Committee; and~~

~~(f) Board of trustees of each school district.] (Deleted by amendment.)~~

Sec. 14. ~~[NRS 385.379 is hereby amended to read as follows:~~

~~385.379 1. The Account for Programs for Innovation and the Prevention of Remediation is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants of money from any source for deposit in the Account. Any money from gifts and grants may be expended in accordance with the terms and conditions of the gift or grant, or in accordance with subsection 2. The interest and income earned on the money in the Account must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.~~

~~2. The money in the Account may only be used for the allocation of money to school districts and public schools whose applications are approved by the [Commission] Interim Finance Committee pursuant to NRS 385.3785.] (Deleted by amendment.)~~

Sec. 15. NRS 387.303 is hereby amended to read as follows:

387.303 1. Not later than November 10 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction and the Department of Taxation a report which includes the following information:

(a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the school district in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the school district's final budget, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.

(b) The count of pupils computed pursuant to paragraph (a) of subsection 1 of NRS 387.1233.

(c) The school district's actual expenditures in the fiscal year immediately preceding the report.

(d) The school district's proposed expenditures for the current fiscal year.

(e) The schedule of salaries for licensed employees in the current school year and a statement of whether the negotiations regarding salaries for the current school year have been completed. If the negotiations have not been completed at the time the schedule of salaries is submitted, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations or the determination of an arbitrator concerning the negotiations that includes the schedule of salaries agreed to or required by the arbitrator.

(f) The number of teachers who received an increase in salary pursuant to subsection 2 of NRS 391.160 for the current and preceding fiscal years. If the board of trustees is required to pay an increase in salary retroactively pursuant to subsection 2 of NRS 391.160, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction not later than February 15 of the

1 year in which the retroactive payment was made that includes the number of
2 teachers to whom an increase in salary was paid retroactively.

3 (g) The number of employees eligible for health insurance within the school
4 district for the current and preceding fiscal years and the amount paid for health
5 insurance for each such employee during those years.

6 (h) The rates for fringe benefits, excluding health insurance, paid by the school
7 district for its licensed employees in the preceding and current fiscal years.

8 (i) The amount paid for extra duties, supervision of extracurricular activities
9 and supplemental pay and the number of employees receiving that pay in the
10 preceding and current fiscal years.

11 (j) The expenditures from the account created pursuant to subsection 3 of NRS
12 179.1187. The report must indicate the total amount received by the district in the
13 preceding fiscal year, and the specific amount spent on books and computer
14 hardware and software for each grade level in the district.

15 2. On or before November 25 of each year, the Superintendent of Public
16 Instruction shall submit to the Department of Administration and the Fiscal
17 Analysis Division of the Legislative Counsel Bureau, in a format approved by the
18 Director of the Department of Administration, a compilation of the reports made by
19 each school district pursuant to subsection 1.

20 3. *In preparing the agency biennial budget request for the State Distributive*
21 *School Account for submission to the Department of Administration, the*
22 *Superintendent of Public Instruction shall:*

23 (a) *Compile the information from the most recent compilation of reports*
24 *submitted pursuant to subsection 2;*

25 (b) *Increase the line items of expenditure or revenue based on merit salary*
26 *increases, cost of living adjustments or inflation, as deemed credible and reliable*
27 *based upon published indices and research relevant to the specific line item of*
28 *expenditure or revenue;*

29 (c) *Adjust expenditures and revenues pursuant to paragraph (b) for any year*
30 *remaining before the biennium for which the budget is being prepared and for*
31 *the 2 years of the biennium covered by the biennial budget request to project the*
32 *cost of expenditures or the receipt of revenues for the specific line items;*

33 (d) *Consider the cost of enhancements to existing programs or the projected*
34 *cost of proposed new educational programs, regardless of whether those*
35 *enhancements or new programs are included in the per pupil basic support*
36 *guarantee for inclusion in the biennial budget request to the Department of*
37 *Administration; and*

38 (e) *Obtain approval from the State Board for any inflationary increase,*
39 *enhancement to an existing program or addition of a new program included in*
40 *the agency biennial budget request.*

41 4. The Superintendent of Public Instruction shall, in the compilation required
42 by subsection 2, reconcile the revenues ~~and expenditures~~ of the school districts
43 with the apportionment received by those districts from the State Distributive
44 School Account for the preceding year.

45 5. *The budget request prepared pursuant to subsection 3 must:*

46 (a) *Be presented by the Superintendent of Public Instruction to such*
47 *standing committees of the Legislature as the Superintendent determines*
48 *appropriate for the purpose of developing educational programs and providing*
49 *appropriations for those programs; and*

50 (b) *Provide for a direct comparison of appropriations to the proposed budget*
51 *of the Governor submitted pursuant to subsection 4 of NRS 353.230.*

1 **Sec. 16.** NRS 388.785 is hereby amended to read as follows:
2 388.785 ~~["Commission"]~~ **"Advisory Commission"** means the **Advisory**
3 Commission on Educational Technology created pursuant to NRS 388.790.

4 **Sec. 17.** NRS 388.790 is hereby amended to read as follows:
5 388.790 1. The **Advisory** Commission on Educational Technology,
6 consisting of 2 members who serve ex officio and 11 members who are appointed,
7 is hereby created. The Superintendent of Public Instruction, **or his designee**, and
8 the Director of the Department of Information Technology shall serve ~~ex officio~~
9 as nonvoting members of the **Advisory** Commission.

10 2. The Governor shall appoint the following voting members to the **Advisory**
11 Commission, at least two of whom must reside in a county whose population is less
12 than 100,000:

13 (a) One administrator in a public school who possesses knowledge and
14 experience in the general application of technology;

15 (b) One school teacher in a public elementary school who possesses knowledge
16 and experience in the use of educational technology in the public schools;

17 (c) One school teacher in a public secondary school who possesses knowledge
18 and experience in the use of educational technology in the public schools;

19 (d) One representative of public libraries who possesses knowledge and
20 experience in the general application of technology;

21 (e) One representative of the Nevada System of Higher Education who
22 possesses knowledge and experience in the use of educational technology in
23 institutions of higher education;

24 (f) One representative of the private sector who possesses knowledge and
25 experience in the use of technology; and

26 (g) One parent or legal guardian who possesses knowledge and experience in
27 the general application of technology.

28 3. The Majority Leader of the Senate shall appoint two voting members to the
29 **Advisory** Commission:

30 (a) One of whom is a member of the Senate; and

31 (b) One of whom is employed in the field of technology.

32 4. The Speaker of the Assembly shall appoint two voting members to the
33 **Advisory** Commission:

34 (a) One of whom is a member of the Assembly; and

35 (b) One of whom is employed in the field of technology.

36 5. The Governor shall appoint a Chairman among the voting members of the
37 **Advisory** Commission.

38 6. After the initial terms, the term of each member of the **Advisory**
39 Commission is 2 years, commencing on January 1 of the year he is appointed and
40 expiring on December 31 of the immediately following year. A member shall
41 continue to serve on the **Advisory** Commission until his successor is appointed.
42 Upon the expiration of a term of a member, he may be reappointed if he still
43 possesses any requisite qualifications for appointment. There is no limit on the
44 number of terms that a member may serve.

45 7. The person or entity who appoints a member to the **Advisory** Commission
46 may remove that member if the member neglects his duty or commits malfeasance
47 in office, or for other just cause. Any vacancy in the membership of the **Advisory**
48 Commission must be filled for the remainder of the unexpired term in the same
49 manner as the original appointment.

50 8. The **Advisory** Commission shall hold at least four regular meetings each
51 year and may hold special meetings at the call of the Chairman.

52 9. Members of the **Advisory** Commission who are not Legislators serve
53 without compensation, except that for each day or portion of a day during which a

member of the *Advisory* Commission attends a meeting of the *Advisory* Commission or is otherwise engaged in the business of the *Advisory* Commission, he is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. For each day or portion of a day during which a member of the *Advisory* Commission who is a Legislator attends a meeting of the *Advisory* Commission or is otherwise engaged in the work of the *Advisory* Commission, except during a regular or special session of the Legislature, he is entitled to receive the:

(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;

(b) Per diem allowance provided for state officers and employees generally; and

(c) Travel expenses provided pursuant to NRS 218.2207.

➤ The compensation, per diem allowances and travel expenses of the legislative members of the *Advisory* Commission must be paid from the Legislative Fund.

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

388.795 1. The ~~{Commission}~~ *Superintendent of Public Instruction* shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the ~~{Commission}~~ *Superintendent* shall consider:

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

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

(c) The information reported pursuant to paragraph (t) of subsection 2 of NRS 385.347; ~~and~~

(d) *The advice and recommendations of the Advisory Commission; and*

(e) Any other information that the *Superintendent, the Advisory* Commission or the Committee deems relevant to the preparation of the plan.

2. *The Advisory Commission shall advise and make recommendations to the Superintendent of Public Instruction in carrying out the provisions of this section.*

3. The plan established by the ~~{Commission}~~ *Superintendent of Public Instruction* must include recommendations for methods to:

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

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

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

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

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

~~{3-}~~ 4. The Department shall provide:

(a) Administrative support;

(b) Equipment; and

(c) Office space,

➤ as is necessary for the *Advisory* Commission to carry out the provisions of this section.

~~[4-]~~ 5. The following entities shall cooperate with the *Superintendent of Public Instruction and the Advisory Commission* in carrying out the provisions of this section:

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

~~[5-]~~ 6. The *Superintendent of Public Instruction, upon advice and recommendation of the Advisory Commission*, shall:

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

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

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

- (1) Repair, replace and maintain computer systems.
- (2) Upgrade and improve computer hardware and software and other educational technology.

(3) Provide training, installation and technical support related to the use of educational technology within the district.

(d) Submit to the Governor, the *Advisory Commission, the* Committee and the Department ~~[its]~~ *a* plan for the use of educational technology in the public schools of this State and any recommendations for legislation.

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

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

~~[6-]~~ 7. The *Advisory Commission* may ~~[appoint]~~ *recommend to the Superintendent of Public Instruction for appointment* an advisory committee composed of members of the *Advisory Commission* or other qualified persons to provide recommendations to the ~~[Commission]~~ *Superintendent* regarding standards for the establishment, coordination and use of a telecommunications network in the public schools throughout the various school districts in this State. ~~[The]~~ *An* advisory committee serves at the pleasure of the ~~[Commission]~~ *Superintendent* and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

~~[7-]~~ 8. As used in this section, "public school" includes the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS.

Sec. 19. NRS 388.800 is hereby amended to read as follows:

388.800 1. The Trust Fund for Educational Technology is hereby created in the State General Fund. The Trust Fund must be administered by the Superintendent of Public Instruction. The Superintendent may accept gifts and grants of money from any source for deposit in the Trust Fund. Any such money may be expended in accordance with the terms and conditions of the gift or grant, or in accordance with subsection 3.

2. The interest and income earned on the money in the Trust Fund must be credited to the Trust Fund.

3. The money in the Trust Fund may be used only for the distribution of money to school districts to be used in kindergarten through 12th grade to obtain and maintain hardware and software for computer systems, equipment for transfer of data by modem through connection to telephone lines, and other educational technology as may be approved by the ~~{Commission}~~ *Superintendent of Public Instruction* for use in classrooms.

Sec. 20. NRS 388.805 is hereby amended to read as follows:

388.805 The Department shall, in consultation with the *Advisory Commission*, adopt regulations that establish a program whereby school districts may apply to the ~~{Commission on Educational Technology}~~ *Superintendent of Public Instruction* for money from the Trust Fund for Educational Technology.

Sec. 21. NRS 389.500 is hereby amended to read as follows:

389.500 As used in NRS 389.500 to 389.570, inclusive, ~~["Council"]~~ *"Advisory Council"* means the *Advisory Council* ~~{to Establish}~~ *for* Academic Standards ~~{for}~~ *in the* Public Schools.

Sec. 22. NRS 389.510 is hereby amended to read as follows:

389.510 1. The *Advisory Council* ~~{to Establish}~~ *for* Academic Standards ~~{for}~~ *in the* Public Schools ~~{, consisting of eight members,}~~ is hereby created ~~{}~~ *to advise the Superintendent of Public Instruction*. The membership of the *Advisory Council* consists of ~~{}~~

~~—(a) Four} six~~ members appointed by the ~~{Governor in accordance with subsection 2;}~~

~~—(b) Two members appointed by the Majority Leader of the Senate in accordance with subsection 3; and~~

~~—(c) Two members appointed by the Speaker of the Assembly in accordance with subsection 3.~~

~~2. The Governor shall ensure that:~~

~~—(a) Two of the members whom he appoints to the Council}~~ *Superintendent as follows:*

(a) *Two members who* are parents or legal guardians of pupils who attend public schools. These members must not otherwise be affiliated with the public school system of this State.

(b) Two ~~{of the members whom he appoints to the Council}~~ *members who* are licensed educational personnel.

(c) *Two members who are representatives of a private business or industry that may be affected by actions taken by the Advisory Council or the Superintendent in carrying out the provisions of NRS 389.500 to 389.570, inclusive.*

↳ Insofar as practicable, the *Superintendent shall ensure that the* members ~~{whom}~~ he appoints to the *Advisory Council* reflect the ethnic and geographical diversity of this State.

~~{3. The Majority Leader of the Senate and the Speaker of the Assembly shall each ensure that:~~

~~—(a) One of the members whom he appoints to the Council is a member of the House of the Legislature to which he belongs;~~

~~—(b) The other member whom he appoints to the Council is a representative of a private business or industry that may be affected by actions taken by the Council.~~

~~4.} 2.~~ Each member of the *Advisory Council* must be a resident of this State.

~~{5.} 3.~~ After the initial terms, the term of each member of the *Advisory Council* is 4 years. The ~~{person who appoints a member to the Council}~~ *Superintendent of Public Instruction* may remove ~~{that}~~ a member if ~~{the}~~ *that*

member neglects his duty or commits malfeasance in office, or for other just cause. A vacancy in the membership of the *Advisory* Council must be filled for the remainder of the unexpired term. ~~in the same manner as the original appointment.~~ A member shall continue to serve on the *Advisory* Council until his successor is appointed.

~~6. The Governor~~

4. The *Superintendent of Public Instruction* shall select a Chairman from among the membership of the *Advisory* Council in accordance with this subsection. The ~~Governor~~ *Superintendent* shall not select as Chairman a member of the *Advisory* Council who is affiliated with the public school system in this State, except that this subsection does not preclude the ~~Governor~~ *Superintendent* from selecting a parent or legal guardian of a pupil as Chairman if the parent or legal guardian is not otherwise affiliated with the public school system in this State. Once selected by the ~~Governor~~ *Superintendent*, the Chairman holds that office for 2 years.

~~7. For each day or portion of a day during which a member of the Council who is a Legislator attends a meeting of the Council or is otherwise engaged in the work of the Council, except during a regular or special session of the Legislature, he is entitled to receive the:~~

~~(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;~~

~~(b) Per diem allowance provided for state officers and employees generally; and~~

~~(c) Travel expenses provided pursuant to NRS 218.2207.~~

~~The compensation, per diem allowances and travel expenses of the legislative members of the Council must be paid from the Legislative Fund.~~

~~8. 5. Members of the *Advisory* Council [who are not Legislators] serve without salary, but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.~~

Sec. 23. NRS 389.520 is hereby amended to read as follows:

389.520 1. The ~~Council~~ *Superintendent of Public Instruction* shall:

(a) Establish standards of content and performance, including, without limitation, a prescription of the resulting level of achievement, for the grade levels set forth in subsection 2, based upon the content of each course, that is expected of pupils for the following courses of study:

(1) English, including reading, composition and writing;

(2) Mathematics;

(3) Science;

(4) Social studies, which includes only the subjects of history, geography, economics and government;

(5) The arts;

(6) Computer education and technology;

(7) Health; and

(8) Physical education.

(b) Establish a schedule for the periodic review and, if necessary, revision of the standards of content and performance. The review must include, without limitation, the review required pursuant to NRS 389.570 of the results of pupils on the examinations administered pursuant to NRS 389.550.

(c) Assign priorities to the standards of content and performance relative to importance and degree of emphasis and revise the standards, if necessary, based upon the priorities.

2. The ~~Council~~ *Superintendent of Public Instruction* shall establish standards of content and performance for each grade level in kindergarten and

grades 1 to 8, inclusive, for English and mathematics. The ~~{Council}~~ *Superintendent* shall establish standards of content and performance for the grade levels selected by the ~~{Council}~~ *Superintendent* for the other courses of study prescribed in subsection 1.

3. The State Board shall adopt the standards of content and performance established by the ~~{Council}~~ *Superintendent of Public Instruction*.

4. *The Superintendent of Public Instruction shall consider the advice and recommendations of the Advisory Council in carrying out the provisions of this section.*

5. The ~~{Council}~~ *State Board* shall work in cooperation with the ~~{State Board}~~ *Advisory Council* to prescribe the examinations required by NRS 389.550.

Sec. 24. NRS 389.540 is hereby amended to read as follows:

389.540 The board of trustees of each school district shall conduct a periodic review of the courses of study offered in the public schools of the school district to determine whether the courses of study comply with the standards of content and performance established by the ~~{Council}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520 and if revision of the courses of study is necessary to ensure compliance.

Sec. 25. NRS 389.550 is hereby amended to read as follows:

389.550 1. The State Board shall, in consultation with the *Advisory Council*, prescribe examinations that comply with 20 U.S.C. § 6311(b)(3) and that measure the achievement and proficiency of pupils:

(a) For grades 3 ~~{, 4, 5, 6, 7 and}~~ *to 8, inclusive*, in the standards of content established by the ~~{Council}~~ *Superintendent of Public Instruction* for the subjects of English and mathematics.

(b) For grades 5 and 8, in the standards of content established by the ~~{Council}~~ *Superintendent* for the subject of science.

↳ The examinations prescribed pursuant to this subsection must be written, developed, printed and scored by a nationally recognized testing company.

2. In addition to the examinations prescribed pursuant to subsection 1, the State Board shall, in consultation with the *Advisory Council*, prescribe a writing examination for grades 5 and 8 and for the high school proficiency examination.

3. The board of trustees of each school district and the governing body of each charter school shall administer the examinations prescribed by the State Board. The examinations must be:

(a) Administered to pupils in each school district and each charter school at the same time during the spring semester, as prescribed by the State Board.

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

(c) 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.

Sec. 26. NRS 389.570 is hereby amended to read as follows:

389.570 1. The *Advisory Council and the Superintendent of Public Instruction* shall review the results of pupils on the examinations administered pursuant to NRS 389.550, including, without limitation, for each school in a school

1 district and each charter school that is located within a school district, a review of
2 the results for the current school year and a comparison of the progress, if any,
3 made by the pupils enrolled in the school from preceding school years.

4 2. After the completion of the review pursuant to subsection 1, *the*
5 *Superintendent of Public Instruction, in consultation with the Advisory Council,*
6 shall evaluate:

7 (a) Whether the standards of content and performance established by the
8 ~~{Council}~~ *Superintendent* require revision; and

9 (b) The success of pupils, as measured by the results of the examinations, in
10 achieving the standards of performance established by the ~~{Council}~~
11 *Superintendent.*

12 3. The ~~{Council}~~ *Superintendent of Public Instruction* shall report the results
13 of the evaluation conducted pursuant to subsection 2 to the *Advisory Council, the*
14 *State Board and the Legislative Committee on Education.*

15 **Sec. 27.** NRS 390.140 is hereby amended to read as follows:

16 390.140 1. The State Board shall make the final selection of all textbooks to
17 be used in the public schools in this State, except for charter schools. If a textbook
18 proposed for selection is in a subject area for which standards of content have been
19 established by the ~~{Council to Establish Academic Standards for Public Schools}~~
20 *Superintendent of Public Instruction* pursuant to NRS 389.520, the State Board
21 shall not select the textbook unless the State Board determines that the textbook
22 adequately supports the standards for that subject area.

23 2. A textbook must not be selected by the State Board pursuant to subsection
24 1 for use in the public schools in classes in literature, history or social sciences
25 unless it accurately portrays the cultural and racial diversity of our society,
26 including lessons on the contributions made to our society by men and women from
27 various racial and ethnic backgrounds.

28 **Sec. 28.** NRS 391.038 is hereby amended to read as follows:

29 391.038 1. The State Board, in consultation with educational institutions in
30 this State which offer courses of study and training for the education of teachers,
31 the board of trustees of each school district in this State and other educational
32 personnel, shall review and evaluate a course of study and training offered by an
33 educational institution which is designed to provide the education required for:

34 (a) The licensure of teachers or other educational personnel;

35 (b) The renewal of licenses of teachers or other educational personnel; or

36 (c) An endorsement in a field of specialization.

37 ➤ If the course of study and training meets the requirements established by the
38 State Board, it must be approved by the State Board. The State Board shall not
39 approve a course of study or training unless the course of study and training
40 provides instruction, to the extent deemed necessary by the State Board, in the
41 standards of content and performance prescribed by the ~~{Council to Establish~~
42 ~~Academic Standards for Public Schools}~~ *Superintendent of Public Instruction*
43 pursuant to NRS 389.520.

44 2. The State Board may review and evaluate such courses of study and
45 training itself or may recognize a course of study and training approved by a
46 national agency for accreditation acceptable to the Board.

47 3. The State Board shall adopt regulations establishing fees for the review by
48 the Board of a course of study and training submitted to the Board by an
49 educational institution.

50 4. The State Board, in consultation with educational institutions in this State
51 which offer courses of study and training for the education of teachers and other
52 educational personnel, and the Nevada Association of Colleges for Teacher
53 Education and the Nevada Association of Teacher Educators, shall adopt

1 regulations governing the approval by the State Board of courses of study and
2 training which are accredited by the National Council for Accreditation of Teacher
3 Education, and those which are not so accredited.

4 5. If the State Board denies or withdraws its approval of a course of study or
5 training, the educational institution is entitled to a hearing and judicial review of the
6 decision of the State Board.

7 **Sec. 29.** NRS 391.512 is hereby amended to read as follows:

8 391.512 1. There are hereby created ~~the Southern Nevada Regional~~
9 ~~Training Program, the Western Nevada Regional Training Program, the~~
10 ~~Northeastern Nevada Regional Training Program and the Northwestern Nevada~~
11 ~~Regional Training Program.]~~ **four regional training programs in this State.** The
12 governing body of each regional training program shall establish and operate a:

13 (a) Regional training program for the professional development of teachers and
14 administrators.

15 (b) Nevada Early Literacy Intervention Program through the regional training
16 program established pursuant to paragraph (a).

17 2. ~~Except as otherwise provided in subsection 6, the Southern Nevada~~
18 ~~Regional Training Program]~~ **The Superintendent of Public Instruction shall**
19 **establish the geographical boundaries of each regional training program, which**
20 must primarily provide services to teachers and administrators who are employed
21 by school districts ~~in:~~

- 22 ~~—(a) Clark County;~~
23 ~~—(b) Esmeralda County;~~
24 ~~—(c) Lincoln County; and~~
25 ~~—(d) Nye County.~~

26 3. ~~Except as otherwise provided in subsection 6, the Western Nevada~~
27 ~~Regional Training Program must primarily provide services to teachers and~~
28 ~~administrators who are employed by school districts in:~~

- 29 ~~—(a) Carson City;~~
30 ~~—(b) Churchill County;~~
31 ~~—(c) Douglas County;~~
32 ~~—(d) Lyon County; and~~
33 ~~—(e) Mineral County.~~

34 4. ~~Except as otherwise provided in subsection 6, the Northeastern Nevada~~
35 ~~Regional Training Program must primarily provide services to teachers and~~
36 ~~administrators who are employed by school districts in:~~

- 37 ~~—(a) Elko County;~~
38 ~~—(b) Eureka County;~~
39 ~~—(c) Lander County;~~
40 ~~—(d) Humboldt County; and~~
41 ~~—(e) White Pine County.~~

42 5. ~~Except as otherwise provided in subsection 6, the Northwestern Nevada~~
43 ~~Regional Training Program must primarily provide services to teachers and~~
44 ~~administrators who are employed by school districts in:~~

- 45 ~~—(a) Pershing County;~~
46 ~~—(b) Storey County; and~~
47 ~~—(c) Washoe County.~~

48 ~~6.]~~ **which are located within the geographical boundaries established by the**
49 **Superintendent.** Each regional training program shall, when practicable, make
50 reasonable accommodations for the attendance of teachers and administrators who
51 are employed by school districts outside the primary jurisdiction of the regional
52 training program.

~~[7-]~~ 3. The *Superintendent of Public Instruction* shall determine which board of trustees ~~[of the:~~

~~— (a) Clark County School District] of a school district located within each regional training program~~ shall serve as the fiscal agent for ~~[the Southern Nevada Regional Training Program.~~

~~— (b) Douglas County School District shall serve as the fiscal agent for the Western Nevada Regional Training Program.~~

~~— (c) Elko County School District shall serve as the fiscal agent for the Northeastern Nevada Regional Training Program.~~

~~— (d) Washoe County School District shall serve as the fiscal agent for the Northwestern Nevada Regional Training Program.~~

~~→] that regional training program.~~ As fiscal agent, each school district is responsible for the payment, collection and holding of all money received from this State for the maintenance and support of the regional training program and Nevada Early Intervention Program established and operated by the applicable governing body.

Sec. 30. NRS 391.544 is hereby amended to read as follows:

391.544 1. Based upon the assessment of needs for training within the region and priorities of training adopted by the governing body pursuant to NRS 391.540, each regional training program must provide:

(a) Training for teachers in the standards established by the ~~{Council to Establish Academic Standards for Public Schools}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520.

(b) Through the Nevada Early Literacy Intervention Program established for the regional training program, training for teachers who teach kindergarten and grades 1, 2 or 3 on methods to teach fundamental reading skills, including, without limitation:

- (1) Phonemic awareness;
- (2) Phonics;
- (3) Vocabulary;
- (4) Fluency;
- (5) Comprehension; and
- (6) Motivation.

(c) At least one of the following types of training:

(1) Training for teachers and school administrators in the assessment and measurement of pupil achievement and the effective methods to analyze the test results and scores of pupils to improve the achievement and proficiency of pupils.

(2) Training for teachers in specific content areas to enable the teachers to provide a higher level of instruction in their respective fields of teaching. Such training must include instruction in effective methods to teach in a content area provided by teachers who are considered masters in that content area.

(3) In addition to the training provided pursuant to paragraph (b) of subsection 1, training for teachers in the methods to teach basic skills to pupils, such as providing instruction in reading with the use of phonics and providing instruction in basic skills of mathematics computation.

2. The training required pursuant to subsection 1 must:

(a) Include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the governing body for the type of training offered.

(b) Include appropriate procedures to ensure follow-up training for teachers and administrators who have received training through the program.

(c) Incorporate training that addresses the educational needs of:

(1) Pupils with disabilities who participate in programs of special education; and

(2) Pupils who are limited English proficient.

3. The governing body of each regional training program shall prepare and maintain a list that identifies programs for the professional development of teachers and administrators that successfully incorporate:

(a) The standards of content and performance established by the ~~{Council to Establish Academic Standards for Public Schools}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520;

(b) Fundamental reading skills; and

(c) Other training listed in subsection 1.

➤ The governing body shall provide a copy of the list on an annual basis to school districts for dissemination to teachers and administrators.

4. A regional training program may include model classrooms that demonstrate the use of educational technology for teaching and learning.

5. A regional training program may contract with the board of trustees of a school district that is served by the regional training program as set forth in NRS 391.512 to provide professional development to the teachers and administrators employed by the school district that is in addition to the training required by this section. Any training provided pursuant to this subsection must include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the governing body for the type of training offered.

6. To the extent money is available from legislative appropriation or otherwise, a regional training program may provide training to paraprofessionals.

Sec. 31. NRS 391.552 is hereby amended to read as follows:

391.552 The governing body of each regional training program shall:

1. Establish a method for the evaluation of the success of the regional training program, including, without limitation, the Nevada Early Literacy Intervention Program. The method must be consistent with the uniform procedures adopted by the Statewide Council pursuant to NRS 391.520.

2. On or before September 1 of each year, submit an annual report to the State Board, the Commission, *the Department*, the Legislative Committee on Education and the Legislative Bureau of Educational Accountability and Program Evaluation that includes:

(a) The priorities for training adopted by the governing body pursuant to NRS 391.540.

(b) The type of training offered through the program in the immediately preceding year.

(c) The number of teachers and administrators who received training through the program in the immediately preceding year.

(d) The number of paraprofessionals, if any, who received training through the program in the immediately preceding year.

(e) An evaluation of the success of the program, including, without limitation, the Nevada Early Literacy Intervention Program, in accordance with the method established pursuant to subsection 1.

(f) A description of the gifts and grants, if any, received by the governing body in the immediately preceding year and the gifts and grants, if any, received by the Statewide Council during the immediately preceding year on behalf of the regional training program. The description must include the manner in which the gifts and grants were expended.

(g) The 5-year plan for the program prepared pursuant to NRS 391.540 and any revisions to the plan made by the governing body in the immediately preceding year.

1 **Sec. 32.** NRS 391.556 is hereby amended to read as follows:

2 391.556 The board of trustees of each school district shall submit an annual
3 report to the State Board, the Commission, the Legislative Committee on Education
4 and the Legislative Bureau of Educational Accountability and Program Evaluation
5 that includes for the immediately preceding year:

6 1. The number of teachers and administrators employed by the school district
7 who received training through the program; and

8 2. An evaluation of whether that training included the standards of content
9 and performance established by the ~~{Council to Establish Academic Standards for~~
10 ~~Public Schools}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520.

11 **Sec. 33.** NRS 392A.080 is hereby amended to read as follows:

12 392A.080 1. The governing body of a university school for profoundly
13 gifted pupils ~~{must consist}~~ *consists* of ~~{nine}~~ ~~{eight}~~ *10* members. ~~{and must~~
14 ~~include}~~ ~~{the}~~ *The Superintendent of Public Instruction*, the president of the
15 university where the university school for profoundly gifted pupils is located, ~~{~~
16 ~~who}~~ *and the superintendent of schools of the school district in which the*
17 *university school for profoundly gifted pupils is located shall serve* ~~{serves}~~ ex-
18 officio, ~~{}~~ *as nonvoting advisory members of the governing body.* The Governor, *the*
19 *Majority Leader of the Senate and the Speaker of the Assembly* shall *each*
20 appoint ~~{three members}~~ *one voting member* to serve *a* 4-year ~~{terms}~~ *term.* The
21 members appointed by the Governor, *the Majority Leader of the Senate and the*
22 *Speaker of the Assembly* may not be *Legislators*, employees of the State, a
23 municipality of the State or the Board of Regents of the University of Nevada. The
24 remaining four *voting* members of the governing body ~~{shall}~~ *must* be appointed by
25 the entity that operates the university school for profoundly gifted pupils. A person
26 may serve on a governing body pursuant to this subsection only if he submits an
27 affidavit to the Department indicating that the person has not been convicted of a
28 felony or any crime involving moral turpitude.

29 2. The governing body of a university school for profoundly gifted pupils is a
30 public body. It is hereby given such reasonable and necessary powers, not
31 conflicting with the Constitution and the laws of the State of Nevada, as may be
32 required to attain the ends for which the school is established and to promote the
33 welfare of pupils who are enrolled in the school.

34 3. The governing body of a university school for profoundly gifted pupils
35 shall, during each calendar quarter, hold at least one regularly scheduled public
36 meeting in the county in which the school is located.

37 **Sec. 34.** NRS 396.5195 is hereby amended to read as follows:

38 396.5195 The Board of Regents shall, in cooperation with the ~~{State Board}~~
39 *Department* and the *Advisory* Council ~~{to Establish}~~ *for* Academic Standards ~~{for}~~
40 *in the* Public Schools, ensure that students enrolled in a program developed by the
41 System for the education of teachers are provided instruction regarding the
42 standards of content and performance required of pupils enrolled in high schools in
43 this State.

44 **Sec. 35.** NRS 218.5354 is hereby amended to read as follows:

45 218.5354 1. The Committee may:

46 (a) Evaluate, review and comment upon issues related to education within this
47 State, including, but not limited to:

48 (1) Programs to enhance accountability in education;

49 (2) Legislative measures regarding education;

50 (3) The progress made by this State, the school districts and the public
51 schools in this State in satisfying the goals and objectives of the federal No Child
52 Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and the annual measurable
53 objectives established by the State Board of Education pursuant to NRS 385.361;

(4) Methods of financing public education;
(5) The condition of public education in the elementary and secondary schools;

(6) The program to reduce the ratio of pupils per class per licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

(7) The development of any programs to automate the receipt, storage and retrieval of the educational records of pupils; and

(8) Any other matters that, in the determination of the Committee, affect the education of pupils within this State.

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section.

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee.

(d) Make recommendations to the Legislature concerning the manner in which public education may be improved.

2. The Committee shall:

(a) In addition to any standards prescribed by the Department of Education, prescribe standards for the review and evaluation of the reports of the State Board of Education, school districts and public schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

(b) For the purposes set forth in NRS 385.389, recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to NRS 385.384. In recommending providers, the Committee shall consider providers with a demonstrated record of effectiveness in improving the academic achievement of pupils.

(d) For the purposes set forth in NRS 385.3785 ~~[-recommend]~~:

(1) Recommend to the ~~[Advisory]~~ Commission on Educational Excellence created by NRS 385.3784 programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

(2) Review the recommendations of the ~~[Advisory]~~ Commission on Educational Excellence for allocations of money and determine which applications to transmit to the State Board of Examiners pursuant to NRS 385.3785.

Sec. 36. 1. Notwithstanding the provisions of NRS 385.150, as amended by section 6 of this act, the person serving as the Superintendent of Public Instruction on July 1, 2007, who was appointed by the State Board of Education pursuant to NRS 385.150 to a term expiring in 2010 continues to serve for the remainder of the unexpired term. If a vacancy occurs before the expiration of that term, the Governor shall appoint a Superintendent of Public Instruction in accordance with NRS 385.150, as amended by section 6 of this act, for the remainder of the unexpired term.

2. The Governor shall appoint a Superintendent of Public Instruction pursuant to NRS 385.150, as amended by section 6 of this act, commencing with the term that begins in 2010.

Sec. 37. 1. The terms of all members appointed to the Council to Establish Academic Standards for Public Schools created pursuant to NRS 389.510 who are incumbent on June 30, 2007, expire on that date.

2. Not later than July 1, 2007, the Superintendent of Public Instruction shall make the appointments to the Advisory Council for Academic Standards in the Public Schools pursuant to NRS 389.510, as amended by section 22 of this act, as follows:

(a) One member who is a parent or legal guardian of a pupil who attends public school, one member who is selected from among licensed educational personnel and one member who represents a business or industry must be appointed to terms expiring on June 30, 2009.

(b) One member who is a parent or legal guardian of a pupil who attends public school, one member who is selected from among licensed educational personnel and one member who represents a business or industry must be appointed to terms expiring on June 30, 2011.

➤ These appointments may include former members whose terms expired pursuant to subsection 1.

Sec. 38. The Superintendent of Public Instruction shall, on or before February 2, 2009:

1. Establish the boundaries of the four regional training programs that will be created on July 1, 2009, pursuant to NRS 391.512, as amended by section 29 of this act, and determine the boards of trustees of school districts that shall serve as the fiscal agents for each regional training program respectively;

2. Prepare a plan for the fair and equitable allocation of any money, vehicles and other property held by regional training programs on June 30, 2009, to the four regional training programs described in subsection 1; and

3. Submit a report containing that information to the Director of the Legislative Counsel Bureau for transmittal to the 75th Session of the Nevada Legislature.

Sec. 39. 1. The Legislative Counsel shall, in preparing:

(a) The reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

(b) Supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

2. Any references in a bill or resolution passed by the 74th Session of the Nevada Legislature to an officer, agency or other entity whose name is changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity shall be deemed to refer to the officer, agency or other entity to which the responsibility is transferred.

3. The provisions of this section apply to:

(a) ~~The change of the name of the Commission on Educational Excellence to the Advisory Commission on Educational Excellence and the transfer of any duties from the Commission on Educational Excellence;~~

~~—(b)—~~ The change of the name of the Commission on Educational Technology to the Advisory Commission on Educational Technology and the transfer of any duties from the Commission on Educational Technology;

~~(c)~~ (b) The change of the name of the Council to Establish Academic Standards for Public Schools to the Advisory Council for Academic Standards in the Public Schools and the transfer of any duties from the Council to Establish Academic Standards for Public Schools; and

~~(d)~~ (c) Any other entity whose name was changed or duties transferred pursuant to the provisions of this act.

1 **Sec. 40.** 1. This section and sections 37 and 38 of this act become effective
2 upon passage and approval.

3 2. Sections 1 to 28, inclusive, 30 to 36, inclusive, and 39 of this act become
4 effective on July 1, 2007.

5 3. Section 29 of this act becomes effective on July 1, 2009.