

Amendment No. 1011

Senate Amendment to Assembly Bill No. 505 Third Reprint (BDR 34-784)

Proposed by: Senate Committee on Finance

Amends: Summary: Yes 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 dashed underlining* is newly added transitory language.

KCR



Date: 6/1/2009

A.B. No. 505—Revises provisions governing pupils enrolled in high school.
(BDR 34-784)



ASSEMBLY BILL NO. 505—COMMITTEE ON EDUCATION

MARCH 23, 2009

Referred to Committee on Education

SUMMARY—Revises provisions governing pupils ~~enrolled in high school.~~
(BDR 34-784)

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; requiring the Department of Education to work in consultation with the Nevada System of Higher Education to establish a plan to ensure that high school pupils are ready for postsecondary education and the workplace; **requiring the State Board of Education to establish clear and well-defined goals for education; revising provisions governing the count of certain pupils for purposes of basic support;** revising provisions governing the academic plans for ninth grade pupils; requiring instruction on financial responsibility in high school; ~~authorizing the issuance of an adjusted adult diploma for certain persons;~~ requiring the school districts to adopt programs of teen mentoring; requiring school districts to adopt a policy for the remediation of deficient credits to the extent money is available; requiring school districts to adopt a policy for pupils to report unlawful activities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill requires the Department of Education to work in consultation with the Nevada System of Higher Education to establish clearly defined goals and benchmarks for pupils enrolled in high schools to be adequately prepared for the educational requirements of postsecondary education and for success in the workplace.

Section 1.5 of this bill requires the Department to adopt a model to measure and track the achievement and progress of pupils in this State and prescribes the requirements for that system.

Section 1.7 of this bill provides for the establishment of a Statewide Advisory Council for the Support of Youth.

Section 1.9 of this bill requires the State Board of Education to establish clear and well-defined goals for the education of pupils in this State and to meet other specific objectives related to education. (NRS 385.075)

Existing law provides for the count of pupils for basic support for the purposes of apportionments from the State Distributive School Account. (NRS 387.123, 387.1233) Sections 4.5 and 4.7 of this bill revise the provisions governing the count of pupils to provide for a separate count for pupils who are enrolled in a full-time adult special

education program for pupils with disabilities who are at least 18 but less than 22 years of age.

Existing law requires the board of trustees of a school district to adopt a policy for each public school in the school district in which ninth grade pupils are enrolled to develop a 4-year academic plan for each of those pupils. (NRS 388.205) **Section 5** of this bill requires the policy to ensure that each ninth grade pupil and his parent or legal guardian are adequately notified of certain courses and programs available to the pupil which will assist in the advancement of the education of the pupil as well as the requirements for graduation, for admission to the Nevada System of Higher Education and for receipt of a Governor Guinn Millennium Scholarship.

Section 6 of this bill requires the board of trustees of each school district and the governing body of each charter school that operates as a high school to ensure that instruction on financial responsibility is provided to pupils enrolled in the public high schools in each school district and in each charter school that operates as a high school.

~~Existing law provides that a pupil with a disability who does not satisfy the requirements for receipt of a standard high school diploma may receive an adjusted diploma if he satisfies the requirements set forth in his individualized education program. (NRS 389.805) Section 7 of this bill requires the State Board of Education to create an adjusted adult diploma.~~

Section 9 of this bill requires the board of trustees of each school district to adopt a policy for a program of teen mentoring, which may include a component of adult mentoring, for the public high schools in the district designed to: (1) increase pupil participation in school and community activities; or (2) assist ninth grade pupils in the transition from middle school or junior high school to high school, or both. **Section 9** further provides that the principal of each high school shall, to the extent that money is available for that purpose, carry out the program of teen mentoring at that school. **Section 17** of this bill provides that **section 9** becomes effective on July 1, 2011.

Section 10 of this bill requires the board of trustees of each school district, to the extent money is available for this purpose, to adopt a policy which ensures that a pupil who is deficient in the number of credits required for promotion to the next grade or graduation from high school has sufficient opportunities to remediate his deficient credits.

Section 11 of this bill requires the board of trustees of each school district to adopt a policy that allows pupils enrolled in a school within the school district to report, anonymously if the pupils choose, any unlawful activities that are being conducted on school property, at an activity sponsored by a public school or on a school bus, commonly referred to as a "secret witness program."

Section 16 of this bill repeals NRS 392.090, 392.100 and 392.110, relating to the exemption of certain children from compulsory school attendance.

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

Sec. 0.5. Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 1, 1.5 and 1.7 of this act.

Section 1. [Chapter 385 of NRS is hereby amended by adding thereto a new section to read as follows:]

1. The Department shall work in consultation with the Nevada System of Higher Education to establish a plan which sets forth clearly defined goals and benchmarks for pupils enrolled in the public high schools to ensure that those pupils are adequately prepared for the educational requirements of postsecondary education and for success in the workplace, including, without limitation, methods to ensure that the high school standards, graduation requirements and assessments are aligned with college and workforce readiness expectations.

2. *The Superintendent of Public Instruction shall:*

(a) *On or before February 1 of each odd-numbered year, submit a report on the progress of the plan to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature; and*

(b) *On or before February 1 of each even-numbered year, submit a report on the progress of the plan to the Legislative Committee on Education.*

Sec. 1.5. 1. The Department shall adopt a model to measure and track from year to year the achievement and progress made by each pupil, each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361, each public school, including, without limitation, each charter school, each school district and the State as a whole.

2. The Department shall identify the measures of progress for inclusion in the model which must include, without limitation, the results of pupils on the examinations administered pursuant to NRS 389.550 and the results of pupils on the high school proficiency examination administered pursuant to NRS 389.015. The model must include other measures of progress identified by the Department, including, without limitation, graduation and attendance rates.

3. The model must be designed in a manner which allows the Department to:

(a) Identify each program for which a grant of money is made from the Account for Programs for Innovation and the Prevention of Remediation or otherwise provided through the State and which is being used by a public school; and

(b) Determine, through results of evaluations, the programs which are used by public schools and which are making improvements in the achievement and progress of pupils and the programs which are used by public schools and which are not making the same level of improvements.

4. The Department may contract with a qualified and independent consultant to assist the Department in the development and maintenance of the model.

Sec. 1.7. 1. The nonprofit corporation formed pursuant to NRS 385.091, in consultation with the Department of Education and the Department of Employment, Training and Rehabilitation, shall establish a Statewide Advisory Council for the Support of Youth, composed of not less than six members.

2. The nonprofit corporation shall appoint members to the Statewide Advisory Council who:

(a) Have knowledge and experience in education, youth development or human resources; and

(b) To the extent practicable, represent:

(1) The Department of Employment, Training and Rehabilitation;

(2) The Department of Education;

(3) The Department of Health and Human Services;

(4) The Office of the Attorney General;

(5) The Assembly;

(6) The Senate;

(7) The Governor's Workforce Investment Board of the Department of Employment, Training and Rehabilitation;

(8) The Nevada System of Higher Education;

(9) An Indian tribe;

(10) The nonprofit corporation;

(11) The Nevada Parent Teacher Association or other parent association or organization in this State; and

(12) Any other person deemed necessary by the nonprofit corporation.

1 3. Each member of the Statewide Advisory Council serves at the pleasure of
2 the nonprofit corporation.

3 4. The Department of Education shall provide administrative support to the
4 Statewide Advisory Council.

5 5. Unless money is appropriated for that purpose, the members of the
6 Statewide Advisory Council serve without compensation and shall not receive a
7 per diem allowance or travel expenses.

8 6. The Statewide Advisory Council shall:

9 (a) Facilitate statewide efforts to ensure that each youth in this State receives
10 an education which adequately prepares the youth for postsecondary education
11 or training, adequately prepares the youth for a career and ensures a lifetime of
12 successful accomplishments;

13 (b) Collaborate with organizations which serve youth to provide advice and
14 guidance to public agencies in this State to ensure that youth are engaged in
15 postsecondary education or productive employment by 25 years of age; and

16 (c) Strengthen the coordination, communication and collaboration among
17 public agencies and organizations which support at-risk youth in becoming
18 successful adults.

19 Sec. 1.9. NRS 385.075 is hereby amended to read as follows:

20 385.075 The State Board shall ~~establish policies~~ :

21 1. Establish policies to govern the administration of all functions of the State
22 relating to the supervision, management and control of public schools not conferred
23 by law on some other agency.

24 2. Establish clearly defined goals and benchmarks for improving the
25 achievement of pupils in this State, including, without limitation, goals for:

26 (a) Improving proficiency results in core academic subject areas;

27 (b) Increasing the number of pupils enrolled in middle schools and junior
28 high schools in this State who enter high school with the skills necessary to
29 succeed in high school;

30 (c) Improving the percentage of pupils who enroll in grade 9 in this State
31 and who complete high school and obtain a standard diploma upon completion;

32 (d) Improving the performance of pupils in this State on standardized college
33 entrance examinations;

34 (e) Increasing the percentage of pupils enrolled in high schools in this State
35 who enter postsecondary educational institutions; and

36 (f) Reengaging disengaged youth who have dropped out of high school or
37 who are at risk of dropping out of high school, including, without limitation, a
38 mechanism for tracking and maintaining communication with those youth who
39 have dropped out or who are at risk of doing so.

40 3. Establish a mechanism to measure the progress made toward meeting
41 statewide educational goals, including, without limitation:

42 (a) Establishing measurable outcomes for the achievement of school districts
43 and charter schools;

44 (b) Developing a system to track progress toward those measurable
45 objectives, including data on the results of pupils on the examinations
46 administered pursuant to NRS 389.550 and the high school proficiency
47 examination; and

48 (c) Improving the capacity and maintenance of the automated system of
49 accountability information for Nevada established pursuant to NRS 386.650.

50 4. Collaborate with the Department and the Nevada System of Higher
51 Education to:

52 (a) Align the academic standards and curriculum developed for pupils
53 enrolled in elementary and secondary education with the academic standards and

curriculum developed for students enrolled in postsecondary educational institutions in this State; and

(b) Provide professional development and training through the Nevada System of Higher Education to assist the Department in ensuring that educational personnel are properly trained and that educational personnel are exposed to various classroom methodologies.

~~Sec. 2. 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 groups 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 group 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 groups identified in paragraph (b);~~

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

~~(g) Information on whether each school district has made adequate yearly progress, including, without limitation, the name of each school district, if any, designated as demonstrating need for improvement pursuant to NRS 385.377 and the number of consecutive years that the school district has carried that designation;~~

~~(h) Information on whether each public school, including, without limitation, each charter school, has made adequate yearly progress, including, without limitation, the name of each public school, if any, designated as demonstrating need for improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation;~~

~~(i) Information on the results of pupils who participated in the examinations of the National Assessment of Educational Progress required pursuant to NRS 389.012;~~

~~(j) The ratio of pupils to teachers in kindergarten and at each grade level for all elementary schools, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, and the average~~

~~class size for each core academic subject, as set forth in NRS 389.018, for each secondary school, reported for each school district and for this State as a whole;~~

~~(k) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, information on the professional qualifications of teachers employed by the school districts and charter schools, including, without limitation:~~

~~(1) The percentage of teachers who are:~~

~~(I) Providing instruction pursuant to NRS 391.125;~~

~~(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or~~

~~(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;~~

~~(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, in this State that are not taught by highly qualified teachers;~~

~~(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, in this State that are not taught by highly qualified teachers, in the aggregate and disaggregated by high poverty compared to low poverty schools, which for the purposes of this subparagraph means schools in the top quartile of poverty and the bottom quartile of poverty in this State;~~

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

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

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

~~(5) For each elementary school:~~

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

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

~~(l) The total expenditure per pupil for each school district in this State, including, without limitation, each charter school in the district. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph;~~

~~(m) The total statewide expenditure per pupil. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph;~~

~~(n) For all elementary schools, junior high schools and middle schools, the rate of attendance, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

~~(o) The annual rate of pupils who drop out of school in grade 8 and a separate reporting of the annual rate of pupils who drop out of school in grades 9 to 12, inclusive, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole. The reporting for pupils in grades 9 to 12, inclusive, excludes pupils who:~~

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

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

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

~~(p) The attendance of teachers who provide instruction, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

~~(q) Incidents involving weapons or violence, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

~~(r) Incidents involving the use or possession of alcoholic beverages or controlled substances, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

~~(s) The suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

~~(t) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

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

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

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

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

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

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

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

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

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

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

~~(I) Paragraph (a) of subsection 1 of NRS 389.805; and~~

~~(II) Paragraph (b) of subsection 1 of NRS 389.805.~~

~~(2) An adult diploma.~~

~~(3) An adjusted diploma.~~

~~[(3)] (4) An adjusted adult diploma.~~

~~(5) A certificate of attendance.~~

~~(6) A certificate of educational equivalence for passage of the tests of general educational development for those pupils who are eligible pursuant to NRS 385.448.~~

~~(bb) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of pupils who failed to pass the high school proficiency examination.~~

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

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

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

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

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

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

~~(gg) For each school district, including, without limitation, each charter school in the district and for this State as a whole, information on pupils enrolled in career and technical education, including, without limitation:~~

~~(1) The number of pupils enrolled in a course of career and technical education;~~

~~(2) The number of pupils who completed a course of career and technical education;~~

~~(3) The average daily attendance of pupils who are enrolled in a program of career and technical education;~~

~~(4) The annual rate of pupils who dropped out of school and were enrolled in a program of career and technical education before dropping out;~~

~~(5) The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma, an adjusted diploma or a certificate of attendance; and~~

~~(6) The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.~~

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

~~3. The annual report of accountability must:~~

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

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

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

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

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

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

~~(1) Governor;~~

~~(2) Committee;~~

~~(3) Bureau;~~

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

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

~~(6) Governing body of each charter school.~~

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

~~6. As used in this section:~~

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

~~(b) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.]~~

(Deleted by amendment.)

Sec. 3. [NRS 385.34692 is hereby amended to read as follows:]

~~385.34692 1. The State Board shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.3469 that includes, without limitation, a summary of the following information for each school district, each charter school and the State as a whole:~~

~~(a) Demographic information of pupils, including, without limitation, the number and percentage of pupils:~~

~~(1) Who are economically disadvantaged, as defined by the State Board;~~

~~(2) Who are from major racial or ethnic groups, as defined by the State Board;~~

~~(3) With disabilities;~~

~~(4) Who are limited English proficient; and~~

~~(5) Who are migratory children, as defined by the State Board;~~
~~(b) The average daily attendance of pupils, reported separately for the groups identified in paragraph (a);~~
~~(c) The transiency rate of pupils;~~
~~(d) The percentage of pupils who are habitual truants;~~
~~(e) The percentage of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655;~~
~~(f) The number of incidents resulting in suspension or expulsion for:~~
~~(1) Violence to other pupils or to school personnel;~~
~~(2) Possession of a weapon;~~
~~(3) Distribution of a controlled substance;~~
~~(4) Possession or use of a controlled substance; and~~
~~(5) Possession or use of alcohol;~~
~~(g) For kindergarten through grade 8, the number and percentage of pupils who are retained in the same grade;~~
~~(h) For grades 9 to 12, inclusive, the number and percentage of pupils who are deficient in the number of credits required for promotion to the next grade or graduation from high school;~~
~~(i) The pupil-teacher ratio for kindergarten and grades 1 to 8, inclusive;~~
~~(j) The average class size for the subject area of mathematics, English, science and social studies in schools where pupils rotate to different teachers for different subjects;~~
~~(k) The number and percentage of pupils who graduated from high school;~~
~~(l) The number and percentage of pupils who received a:~~
~~(1) Standard diploma;~~
~~(2) Adult diploma;~~
~~(3) Adjusted diploma; [and]~~
~~(4) Adjusted adult diploma;~~
~~(5) Certificate of attendance; and~~
~~(6) Certificate of educational equivalence for passage of the tests of general educational development for those pupils who are eligible pursuant to NRS 385.448.~~
~~(m) The number and percentage of pupils who graduated from high school and enrolled in remedial courses at the Nevada System of Higher Education;~~
~~(n) Per pupil expenditures;~~
~~(o) Information on the professional qualifications of teachers;~~
~~(p) The average daily attendance of teachers and licensure information;~~
~~(q) Information on the adequate yearly progress of the schools and school districts;~~
~~(r) Pupil achievement based upon the examinations administered pursuant to NRS 389.550 and the high school proficiency examination;~~
~~(s) To the extent practicable, pupil achievement based upon the examinations administered pursuant to NRS 389.015 for grades 4, 7 and 10; and~~
~~(t) Other information required by the Superintendent of Public Instruction in consultation with the Bureau.~~
~~2. The summary prepared pursuant to subsection 1 must:~~
~~(a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations adopted pursuant thereto;~~
~~(b) Be prepared in a concise manner; and~~
~~(c) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents will likely understand.~~
~~3. On or before September 7 of each year, the State Board shall:~~

~~(a) Provide for public dissemination of the summary prepared pursuant to subsection 1 by posting the summary on the Internet website maintained by the Department; and~~

~~(b) Submit a copy of the summary in an electronic format to the:~~

~~(1) Governor;~~

~~(2) Committee;~~

~~(3) Bureau;~~

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

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

~~(6) Governing body of each charter school.~~

~~4. The board of trustees of each school district and the governing body of each charter school shall ensure that the parents and guardians of pupils enrolled in the school district or charter school, as applicable, have sufficient information concerning the availability of the summary prepared by the State Board pursuant to subsection 1, including, without limitation, information that describes how to access the summary on the Internet website maintained by the Department. Upon the request of a parent or guardian of a pupil, the Department shall provide the parent or guardian with a written copy of the summary.~~

~~5. The Department shall, in consultation with the Bureau and the school districts, prescribe a form for the summary required by this section.}~~ **(Deleted by amendment.)**

Sec. 4. [NRS 385.347 is hereby amended to read as follows:]

~~385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools in the school district. The board of trustees of each school district shall report the information required by subsection 2 for each charter school that is located within the school district, regardless of the sponsor of the charter school. The information for charter schools must be reported separately and must denote the charter schools sponsored by the school district, the charter schools sponsored by the State Board and the charter schools sponsored by a college or university within the Nevada System of Higher Education.~~

~~2. The board of trustees of each school district shall, on or before August 15 of each year, prepare an annual report of accountability concerning:~~

~~(a) The educational goals and objectives of the school district;~~

~~(b) Pupil achievement for each school in the district and the district as a whole, including, without limitation, each charter school in the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and 389.550 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school in the district, and each grade in which the examinations were administered:~~

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

~~(2) A record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school;~~

~~(3) Except as otherwise provided in this paragraph, pupil achievement, reported separately by gender and reported separately for the following groups 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 group 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 groups 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.~~

~~(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 group of pupils must not be made pursuant to this paragraph if the number of pupils in that group 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 group for that group 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.~~

~~(c) The total expenditure per pupil for each school in the district and the district as a whole, including, without limitation, each charter school in the district. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.~~

~~(f) The curriculum used by the school district, including:~~

~~(1) Any special programs for pupils at an individual school; and~~

~~(2) The curriculum used by each charter school in the district.~~

~~(g) Records of the attendance and truancy of pupils in all grades, including, without limitation:~~

~~(1) The average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.~~

~~(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school in the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(I) Paragraph (a) of subsection 1 of NRS 389.805; and~~

~~(II) Paragraph (b) of subsection 1 of NRS 389.805.~~

~~(2) An adult diploma;~~
~~(3) An adjusted diploma;~~
~~[(3)] (4) An adjusted adult diploma;~~
~~(5) A certificate of attendance;~~
~~(6) A certificate of educational equivalence for passage of the tests of general educational development for those pupils who are eligible pursuant to NRS 385.449.~~
~~(v) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who failed to pass the high school proficiency examination;~~
~~(w) The number of habitual truants who are reported to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each school in the district and for the district as a whole;~~
~~(x) The amount and sources of money received for the training and professional development of teachers and other educational personnel for each school in the district and for the district as a whole, including, without limitation, each charter school in the district;~~
~~(y) Whether the school district has made adequate yearly progress. If the school district has been designated as demonstrating need for improvement pursuant to NRS 385.377, the report must include a statement indicating the number of consecutive years the school district has carried that designation;~~
~~(z) Information on whether each public school in the district, including, without limitation, each charter school in the district, has made adequate yearly progress, including, without limitation:~~
~~(1) The number and percentage of schools in the district, if any, that have been designated as needing improvement pursuant to NRS 385.3623; and~~
~~(2) The name of each school, if any, in the district that has been designated as needing improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation;~~
~~(aa) Information on the paraprofessionals employed by each public school in the district, including, without limitation, each charter school the district. The information must include:~~
~~(1) The number of paraprofessionals employed at the school; and~~
~~(2) The number and percentage of all paraprofessionals who do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The reporting requirements of this subparagraph apply to paraprofessionals who are employed in positions supported with Title I money and to paraprofessionals who are not employed in positions supported with Title I money;~~
~~(bb) For each high school in the district, including, without limitation, each charter school that operates as a high school, information that provides a comparison of the rate of graduation of pupils enrolled in the high school with the rate of graduation of pupils throughout the district and throughout this State. The information required by this paragraph must be provided in consultation with the Department to ensure the accuracy of the comparison;~~
~~(cc) An identification of the appropriations made by the Legislature that are available to the school district or the schools within the district and programs approved by the Legislature to improve the academic achievement of pupils;~~
~~(dd) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, information on pupils enrolled in career and technical education, including, without limitation:~~

~~(1) The number of pupils enrolled in a course of career and technical education;~~

~~(2) The number of pupils who completed a course of career and technical education;~~

~~(3) The average daily attendance of pupils who are enrolled in a program of career and technical education;~~

~~(4) The annual rate of pupils who dropped out of school and were enrolled in a program of career and technical education before dropping out;~~

~~(5) The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma, an adjusted diploma or a certificate of attendance; and~~

~~(6) The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.~~

~~(ee) Such other information as is directed by the Superintendent of Public Instruction.~~

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

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

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

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

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

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

~~5. The Superintendent of Public Instruction shall:~~

~~(a) Prescribe forms for the reports required pursuant to subsection 2 and provide the forms to the respective school districts;~~

~~(b) Provide statistical information and technical assistance to the school districts to ensure that the reports provide comparable information with respect to each school in each district and among the districts throughout this State;~~

~~(c) Consult with a representative of the:~~

~~(1) Nevada State Education Association;~~

~~(2) Nevada Association of School Boards;~~

~~(3) Nevada Association of School Administrators;~~

~~(4) Nevada Parent Teacher Association;~~

~~(5) Budget Division of the Department of Administration; and~~

~~(6) Legislative Counsel Bureau.~~

~~It concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.~~

~~6. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.~~

~~7. On or before August 15 of each year, the board of trustees of each school district shall submit to each advisory board to review school attendance created in~~

~~the county pursuant to NRS 392.126 the information required in paragraph (g) of subsection 2.~~

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

~~(a) Provide written notice that the report required pursuant to subsection 2 is available on the Internet website maintained by the school district, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:~~

~~(1) Governor;~~

~~(2) State Board;~~

~~(3) Department;~~

~~(4) Committee; and~~

~~(5) Bureau.~~

~~(b) Provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a copy of the report on the Internet website maintained by the school district, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school in the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school in the district.~~

~~9. Upon the request of the Governor, an entity described in paragraph (a) of subsection 8 or a member of the general public, the board of trustees of a school district shall provide a portion or portions of the report required pursuant to subsection 2.~~

~~10. As used in this section:~~

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

~~(b) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.]~~

~~(Deleted by amendment.)~~

Sec. 4.5. NRS 387.123 is hereby amended to read as follows:

387.123 1. The count of pupils for apportionment purposes includes all pupils who are enrolled in programs of instruction of the school district, including, without limitation, a program of distance education provided by the school district, pupils who reside in the county in which the school district is located and are enrolled in any charter school, including, without limitation, a program of distance education provided by a charter school, and pupils who are enrolled in a university school for profoundly gifted pupils located in the county, for:

(a) Pupils in the kindergarten department.

(b) Pupils in grades 1 to 12, inclusive.

(c) Pupils not included under paragraph (a) or (b) who are receiving special education pursuant to the provisions of NRS 388.440 to 388.520, inclusive.

(d) Pupils who reside in the county and are enrolled part-time in a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive.

(e) Children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570.

(f) Pupils who are enrolled in classes pursuant to subsection 4 of NRS 386.560 and pupils who are enrolled in classes pursuant to subsection 5 of NRS 386.580.

(g) Pupils who are enrolled in classes pursuant to subsection 3 of NRS 392.070.

(h) Pupils who are enrolled in classes and taking courses necessary to receive a high school diploma, excluding those pupils who are included in paragraphs (d), (f) and (g).

(i) Pupils not included under paragraph (b) or (c) who are enrolled in a full-time adult special education program provided by the school district for pupils with disabilities who are at least 18 but less than 22 years of age.

2. The State Board shall establish uniform regulations for counting enrollment and calculating the average daily attendance of pupils. In establishing such regulations for the public schools, the State Board:

(a) Shall divide the school year into 10 school months, each containing 20 or fewer school days, or its equivalent for those public schools operating under an alternative schedule authorized pursuant to NRS 388.090.

(b) May divide the pupils in grades 1 to 12, inclusive, into categories composed respectively of those enrolled in elementary schools and those enrolled in secondary schools.

(c) Shall prohibit the counting of any pupil specified in subsection 1 more than once.

3. Except as otherwise provided in subsection 4 and NRS 388.700, the State Board shall establish by regulation the maximum pupil-teacher ratio in each grade, and for each subject matter wherever different subjects are taught in separate classes, for each school district of this State which is consistent with:

(a) The maintenance of an acceptable standard of instruction;

(b) The conditions prevailing in the school district with respect to the number and distribution of pupils in each grade; and

(c) Methods of instruction used, which may include educational television, team teaching or new teaching systems or techniques.

↪ If the Superintendent of Public Instruction finds that any school district is maintaining one or more classes whose pupil-teacher ratio exceeds the applicable maximum, and unless he finds that the board of trustees of the school district has made every reasonable effort in good faith to comply with the applicable standard, he shall, with the approval of the State Board, reduce the count of pupils for apportionment purposes by the percentage which the number of pupils attending those classes is of the total number of pupils in the district, and the State Board may direct him to withhold the quarterly apportionment entirely.

4. The provisions of subsection 3 do not apply to a charter school, a university school for profoundly gifted pupils or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive.

Sec. 4.7. NRS 387.1233 is hereby amended to read as follows:

387.1233 1. Except as otherwise provided in subsection 2, basic support of each school district must be computed by:

(a) Multiplying the basic support guarantee per pupil established for that school district for that school year by the sum of:

(1) Six-tenths the count of pupils enrolled in the kindergarten department on the last day of the first school month of the school district for the school year, including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school on the last day of the first school month of the school district for the school year.

(2) The count of pupils enrolled in grades 1 to 12, inclusive, on the last day of the first school month of the school district for the school year, including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school on the last day of the first school month of the school district for the school year and the count of pupils who are enrolled in a university school for profoundly gifted pupils located in the county.

(3) The count of pupils not included under subparagraph (1) or (2) who are enrolled full-time in a program of distance education provided by that school district or a charter school located within that school district on the last day of the first school month of the school district for the school year.

(4) The count of pupils who reside in the county and are enrolled:

(I) In a public school of the school district and are concurrently enrolled part-time in a program of distance education provided by another school district or a charter school on the last day of the first school month of the school district for the school year, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(II) In a charter school and are concurrently enrolled part-time in a program of distance education provided by a school district or another charter school on the last day of the first school month of the school district for the school year, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(5) The count of pupils not included under subparagraph (1), (2), (3) or (4), who are receiving special education pursuant to the provisions of NRS 388.440 to 388.520, inclusive, on the last day of the first school month of the school district for the school year, excluding the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to subsection 1 of NRS 388.490 on that day.

(6) Six-tenths the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to subsection 1 of NRS 388.490 on the last day of the first school month of the school district for the school year.

(7) The count of children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570 on the last day of the first school month of the school district for the school year.

(8) The count of pupils who are enrolled in classes for at least one semester pursuant to subsection 4 of NRS 386.560, subsection 5 of NRS 386.580 or subsection 3 of NRS 392.070, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(9) The count of pupils not included under subparagraph (2) who are enrolled in a full-time adult special education program provided by the school district for pupils with disabilities who are at least 18 but less than 22 years of age. The amount of basic support attributable to pupils counted pursuant to this subparagraph must be accounted for separately and, in addition to any other funds available, used to support the provision of the adult special education program to those pupils.

(b) Multiplying the number of special education program units maintained and operated by the amount per program established for that school year.

(c) Adding the amounts computed in paragraphs (a) and (b).

2. If the enrollment of pupils in a school district or a charter school that is located within the school district on the last day of the first school month of the school district for the school year is less than or equal to 95 percent of the enrollment of pupils in the same school district or charter school on the last day of the first school month of the school district for the immediately preceding school year, the largest number from among the immediately preceding 2 school years

1 must be used for purposes of apportioning money from the State Distributive
2 School Account to that school district or charter school pursuant to NRS 387.124.

3 3. If the enrollment of pupils in a school district or a charter school that is
4 located within the school district on the last day of the first school month of the
5 school district for the school year is more than 95 percent of the enrollment of
6 pupils in the same school district or charter school on the last day of the first school
7 month of the school district for the immediately preceding school year, the larger
8 enrollment number from the current year or the immediately preceding school year
9 must be used for purposes of apportioning money from the State Distributive
10 School Account to that school district or charter school pursuant to NRS 387.124.

11 4. Pupils who are excused from attendance at examinations or have completed
12 their work in accordance with the rules of the board of trustees must be credited
13 with attendance during that period.

14 5. Pupils who are incarcerated in a facility or institution operated by the
15 Department of Corrections must not be counted for the purpose of computing basic
16 support pursuant to this section. The average daily attendance for such pupils must
17 be reported to the Department of Education.

18 6. ~~Pupils~~ Except as otherwise provided in subparagraph (9) of paragraph
19 (a) of subsection 1, pupils who are enrolled in courses which are approved by the
20 Department as meeting the requirements for an adult to earn a high school diploma
21 must not be counted for the purpose of computing basic support pursuant to this
22 section.

23 **Sec. 5.** NRS 388.205 is hereby amended to read as follows:

24 388.205 1. The board of trustees of each school district shall adopt a policy
25 for each public school in the school district in which ninth grade pupils are enrolled
26 to develop a 4-year academic plan for each of those pupils. The academic plan must
27 set forth the specific educational goals that the pupil intends to achieve before
28 graduation from high school. The plan may include, without limitation, the
29 designation of a career pathway and enrollment in dual credit courses, career and
30 technical education courses, advanced placement courses and honors courses.

31 2. *The policy must ensure that each pupil enrolled in ninth grade and the*
32 *pupil's parent or legal guardian are adequately notified and informed of the*
33 *following information:*

34 *(a) The advanced placement courses, honors courses, international*
35 *baccalaureate courses, dual credit courses, career and technical education*
36 *courses, including, without limitation, career and technical skills-building*
37 *programs, and any other educational programs, pathways or courses available to*
38 *the pupil which will assist in the advancement of the education of the pupil;*

39 *(b) The requirements for graduation from high school with a diploma and*
40 *the types of diplomas available;*

41 *(c) The requirements for admission to the Nevada System of Higher*
42 *Education and the eligibility requirements for a Governor Guinn Millennium*
43 *Scholarship; and*

44 *(d) To the extent available, programs offered by charter schools within the*
45 *school district.*

46 3. The policy must require each pupil enrolled in ninth grade and the pupil's
47 parent or legal guardian to:

48 (a) ~~Work in~~ *Be notified of opportunities to work in* consultation with a
49 school counselor to develop *and review* an academic plan for the pupil; *and*

50 (b) ~~Sign the academic plan; and~~

51 ~~—(e)—~~ Review the academic plan at least once each school year in consultation
52 with a school counselor and revise the plan if necessary.

~~3.4~~ 4. If a pupil enrolls in a high school after ninth grade, an academic plan must be developed for that pupil with appropriate modifications for the grade level of the pupil.

~~4.4~~ 5. An academic plan for a pupil must be used as a guide for the pupil and the parent or legal guardian of the pupil to plan, monitor and manage the pupil's educational and occupational development and make determinations of the appropriate courses of study for the pupil. If a pupil does not satisfy all the goals set forth in the academic plan, the pupil is eligible to graduate and receive a high school diploma if he otherwise satisfies the requirements for a diploma.

Sec. 6. Chapter 389 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of each school district and the governing body of each charter school that operates as a high school shall ensure that instruction on financial responsibility is provided to pupils in each public high school within the school district or in the charter school, as applicable. The instruction must include:

(a) The skills necessary to develop financial responsibility, including, without limitation:

(1) Making reasonable financial decisions by analyzing the alternatives and consequences to those financial decisions;

(2) Locating and evaluating financial information from various sources;

(3) Developing communication strategies to discuss financial issues;

(4) Controlling personal information; and

(5) Reviewing and summarizing federal and state consumer protection laws.

(b) The skills necessary to manage finances, including, without limitation:

(1) Developing a plan for spending and saving;

(2) Developing a system for keeping and using financial records; and

(3) Developing a personal financial plan.

(c) The skills necessary to understand the use of credit and the incurrence of debt, including, without limitation:

(1) Identifying the costs and benefits of various types of credit;

(2) Explaining the purpose of a credit report, including, without limitation, the manner in which a credit report is used by lenders;

(3) Describing the rights of a borrower regarding his credit report;

(4) Identifying methods to avoid and resolve debt problems; and

(5) Reviewing and summarizing federal and state consumer credit protection laws.

(d) The skills necessary to understand the basic principles of saving and investing, including, without limitation:

(1) Understanding how saving and investing contribute to financial well-being;

(2) Understanding the methods of investing and alternatives to investing;

(3) Understanding how to buy and sell investments; and

(4) Understanding how the regulation of financial institutions protects investors.

2. The instruction required by subsection 1 may be included within a course that pupils enrolled in high school are otherwise required to complete.

Sec. 7. ~~NRS 389.805 is hereby amended to read as follows:~~

~~389.805 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 [2.] 4; 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 prescribe an adjusted adult diploma and the requirements for receipt of an adjusted adult diploma by an adult who did not satisfy the requirements of subsection 2.~~

~~4. 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.] (Deleted by amendment.)~~

Sec. 8. Chapter 392 of NRS is hereby amended by adding thereto the provisions set forth as sections 9, 10 and 11 of this act.

Sec. 9. 1. The board of trustees of each school district shall adopt a policy for the public high schools within the school district to provide a program of teen mentoring, which may include a component of adult mentoring, designed to:

(a) Increase pupil participation in school activities, community activities and all levels of government; or

(b) Increase the ability of ninth grade pupils enrolled in high school to successfully make the transition from middle school or junior high school to high school,

or both.

2. Any such policy must include, without limitation:

(a) Guidelines for establishing:

(1) Eligibility requirements for pupils who participate in the program as mentors or mentees, including, without limitation, any minimum grade level for pupils who serve as mentors and any minimum grade point average that must be maintained by pupils who serve as mentors. The guidelines may not require a pupil who participates in the program to maintain a grade point average that is higher than the grade point average required for a pupil to participate in sports at the high school the pupil attends.

(2) Training requirements for pupils who serve as mentors.

(3) Incentives for pupils who serve as mentors.

(b) A requirement that each public high school which carries out a program for teen mentoring must establish a committee to select each pupil mentor who participates in the program. The policy must provide that the committee may select a pupil who does not meet the general eligibility requirements for mentors

1 *if the members of the committee determine that the pupil is otherwise qualified to*
2 *serve as a mentor.*

3 *(c) Any other provisions that the board of trustees deems appropriate.*

4 *3. The principal of each high school shall, to the extent that money is*
5 *available for this purpose:*

6 *(a) Carry out a program of teen mentoring in accordance with the policy*
7 *adopted by the board of trustees pursuant to subsection 1; and*

8 *(b) Adopt other policies for the program of teen mentoring that are*
9 *consistent with this section and the policy adopted by the board of trustees*
10 *pursuant to subsection 1.*

11 *4. If a principal of a public high school carries out a program of teen*
12 *mentoring pursuant to this section, the principal shall, on a date prescribed by*
13 *the board of trustees, submit an annual report to the board of trustees and the*
14 *Director of the Legislative Counsel Bureau for transmission to the Legislative*
15 *Committee on Education or the Legislature, as applicable, that sets forth a*
16 *summary of:*

17 *(a) The specific activities of the program of teen mentoring; and*

18 *(b) The effectiveness of the program of teen mentoring in increasing*
19 *pupil participation in school activities, community activities and all levels of*
20 *government or in increasing the ability of ninth grade pupils to successfully make*
21 *the transition from middle school or junior high school to high school*

22 ~~*[3-], as applicable to the type of program in effect at the school.*~~

23 *5. The board of trustees of each school district and each public high school*
24 *may apply for and accept gifts, grants and donations from any source for the*
25 *support of the board of trustees or a public high school in carrying out a program*
26 *of teen mentoring pursuant to the provisions of this section. Any money received*
27 *pursuant to this subsection may be used only for purposes of carrying out a*
28 *program of teen mentoring pursuant to the provisions of this section.*

29 *6. This section does not preclude a board of trustees of a school district or a*
30 *public high school from continuing any other similar program of teen mentoring*
31 *that exists on the July 1, 2011.*

32 **Sec. 10.** *To the extent money is available for this purpose, the board of*
33 *trustees of each school district shall adopt a policy of credit remediation which*
34 *ensures that pupils who are deficient in the number of credits required for*
35 *promotion to the next grade or for graduation from high school are provided*
36 *sufficient opportunities, including, without limitation, opportunities during the*
37 *school day, to complete appropriate remediation of deficient credits.*

38 **Sec. 11.** *1. The board of trustees of each school district shall adopt a*
39 *policy that allows a pupil enrolled in a public school within the school district to*
40 *report, anonymously if the pupil chooses, any unlawful activity which is being*
41 *conducted on school property, at an activity sponsored by a public school or on a*
42 *school bus. The policy must include, without limitation:*

43 *(a) The types of unlawful activities which a pupil may report; and*

44 *(b) The manner in which a pupil may report the unlawful activities.*

45 *2. The board of trustees of a school district may work in consultation with a*
46 *local law enforcement agency or other governmental entity, corporation,*
47 *business, organization or other entity to assist in the implementation of the policy*
48 *adopted pursuant to subsection 1.*

49 *3. Each public school within the school district shall post prominently in*
50 *various locations at the school the policy adopted pursuant to subsection 1, which*
51 *must clearly denote the phone number and any other methods to make a report.*
52 *If a public school maintains an Internet website for the school, the policy must*
53 *also be posted on the school's website.*

1 **4. The board of trustees of each school district shall post the policy on the**
2 **Internet website maintained by the school district.**

3 **Sec. 12.** NRS 392.019 is hereby amended to read as follows:

4 392.019 1. Except as otherwise provided in this subsection, if a child is
5 exempt from compulsory attendance pursuant to ~~this section or~~ NRS 392.070 ~~to~~
6 ~~392.100 or 392.110,~~ and the child is employed to work in the entertainment
7 industry pursuant to a written contract for a period of more than 91 school days, or
8 its equivalent if the child resides in a school district operating under an alternative
9 schedule authorized pursuant to NRS 388.090, including, without limitation,
10 employment with a motion picture company or employment with a production
11 company hired by a casino or resort hotel, the entity that employs the child shall,
12 upon the request of the parent or legal guardian of the child, pay the costs for the
13 child to receive at least 3 hours of tutoring per day for at least 5 days per week. In
14 lieu of tutoring, the parent or legal guardian of such a child may agree with the
15 entity that employs the child that the entity will pay the costs for the child to receive
16 other educational or instructional services which are equivalent to tutoring. The
17 provisions of this subsection apply during the period of a child's employment with
18 an entity, regardless of whether the child has obtained the appropriate exemption
19 from compulsory attendance at the time his contract with the entity is under
20 negotiation.

21 2. ~~The board of trustees of a school district may excuse a child who is~~
22 ~~employed pursuant to subsection 1 from full-time attendance.~~ If such a child is
23 exempt from ~~compulsory~~ attendance pursuant to ~~[NRS 392.100 or 392.110]~~ ~~this~~
24 ~~subsection,~~ the tutoring or other educational or instructional services received by
25 the child pursuant to subsection 1 must be approved by the board of trustees of the
26 school district in which the child resides.

27 **Sec. 13.** NRS 392.170 is hereby amended to read as follows:

28 392.170 Upon the written complaint of any person, the board of trustees of a
29 school district or the governing body of a charter school shall:

30 1. Make a full and impartial investigation of all charges against parents,
31 guardians or other persons having control or charge of any child who is under 18
32 years of age and required to attend school pursuant to NRS 392.040 for violation of
33 any of the provisions of NRS 392.040 to ~~392.110,~~ **392.080**, inclusive, or 392.130
34 to 392.160, inclusive.

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

37 **Sec. 14.** NRS 392.180 is hereby amended to read as follows:

38 392.180 If it appears upon investigation that any parent, guardian or other
39 person having control or charge of any child who is under 18 years of age and
40 required to attend school pursuant to NRS 392.040 has violated any of the
41 provisions of NRS 392.040 to ~~392.110,~~ **392.080**, inclusive, or 392.130 to 392.160,
42 inclusive, the clerk of the board of trustees or the governing body of a charter
43 school in which the child is enrolled, except as otherwise provided in NRS 392.190,
44 shall make and file in the proper court a criminal complaint against the parent,
45 guardian or other person, charging the violation, and shall see that the charge is
46 prosecuted by the proper authority.

47 **Sec. 15.** NRS 392.215 is hereby amended to read as follows:

48 392.215 Any parent, guardian or other person who, with intent to deceive
49 under NRS 392.040 to ~~392.110,~~ **392.080**, inclusive, or 392.130 to 392.165,
50 inclusive:

- 51 1. Makes a false statement concerning the age or attendance at school;
52 2. Presents a false birth certificate or record of attendance at school; or

3. Refuses to furnish a suitable identifying document, record of attendance at school or proof of change of name, upon request by a local law enforcement agency conducting an investigation in response to notification pursuant to subsection 4 of NRS 392.165,

of a child under 18 years of age who is under his control or charge, is guilty of a misdemeanor.

Sec. 15.5. Section 2 of chapter 180, Statutes of Nevada 2009, is hereby amended to read as follows:

Sec. 2. This act becomes effective upon passage and approval and expires by limitation on June 30, 2011.

Sec. 16. NRS 392.090, 392.100 and 392.110 are hereby repealed.

Sec. 16.5. In addition to the study of the governance of the system of K-12 public education, the committee appointed by the Legislative Commission pursuant to Assembly Concurrent Resolution No. 2 of the 2009 Legislature, File No. 89, shall also study issues relating to the funding for the system of higher education in this State. As part of the study, the interim committee shall:

1. Review funding equities for the institutions within the Nevada System of Higher Education and their respective institutional missions;

2. Review the current policies of the Board of Regents of the University of Nevada for establishing tuition and fees and other commonly used models nationwide for establishing tuition and fees;

3. Determine, based upon the review conducted pursuant to subsection 2, an appropriate method for establishing tuition and fees and for determining the reasonable cost that should be borne by students;

4. Review other factors which influence funding for the system of higher education in this State, including, without limitation, funding from local governments, with a particular emphasis on local funding for community colleges; and

5. Recommend changes to the funding mechanism for the system of higher education in this State as determined appropriate by the interim committee and submit those recommendations to the:

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

(b) Governor; and

(c) Legislature, which may be included in the final report of the committee.

Sec. 17. 1. This section and sections ~~16.5~~ 0.5 to 8, inclusive, and 10 to ~~16.5~~ 16.5, inclusive, of this act become effective on July 1, 2009.

2. Section 9 of this act becomes effective on July 1, 2011.

TEXT OF REPEALED SECTIONS

392.090 Juvenile court may permit child who has completed eighth grade to leave school. After review of the case, the juvenile court may issue a permit authorizing any child who has completed the eighth grade to leave school.

392.100 Attendance excused if child 14 years of age or older must support himself or his parent. Attendance required by the provisions of NRS 392.040 shall be excused when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that the child, 14 years of age or over, must work for his own or his parent's support.

392.110 Attendance excused for child between 14 and 18 years of age who has completed eighth grade to enter employment or apprenticeship; written permit required.

1. Any child between the ages of 14 and 18 years who has completed the work of the first eight grades may be excused from full-time school attendance and may be permitted to enter proper employment or apprenticeship, by the written authority of the board of trustees excusing the child from such attendance. The board's written authority must state the reason or reasons for such excuse.

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