

SENATE BILL NO. 330—SENATOR HORSFORD

MARCH 16, 2009

Referred to Committee on Health and Education

SUMMARY—Enacts the Initiative for a World-Class Education in Nevada. (BDR 34-171)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising provisions relating to the Superintendent of Public Instruction; making various changes regarding the Department of Education, the State Board of Education and various councils and commissions related to the system of public education in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the Department of Education, consisting of the State
2 Board of Education, the State Board for Career and Technical Education and the
3 Superintendent of Public Instruction, and creates the Commission on Educational
4 Excellence, the Commission on Educational Technology, the Council to Establish
5 Academic Standards for Public Schools, the Commission on Professional Standards
6 in Education and the Statewide Council for the Coordination of the Regional
7 Training Programs. (NRS 385.010, 385.3784, 388.790, 389.510, 391.011, 391.516)
8 This bill repeals provisions creating the Commission on Educational Excellence,
9 the Commission on Educational Technology, the Council to Establish Academic
10 Standards for Public Schools, the Commission on Professional Standards in
11 Education and the Statewide Council for the Coordination of the Regional Training
12 Programs. This bill also transfers certain duties and responsibilities formerly
13 assigned to those bodies to the State Board of Education and the Department of
14 Education.

15 **Section 8** of this bill revises the membership of the State Board of Education to
16 eliminate the 10 districts from which members are elected and provides for the
17 election of one member from each of the congressional districts (currently three)
18 and the appointment of one member each by the Governor, the Majority Leader of
19 the Senate, the Speaker of the Assembly and the Board of Regents of the University
20 of Nevada. (NRS 385.021) **Section 8** also prescribes the requirements for the
21 members.



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Section 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, the improvement of the system of public education in this State and to meet other specific objectives relating to education. (NRS 385.075)

Under existing law, the Superintendent is appointed by the State Board. (NRS 385.150) This bill changes the name of the Superintendent of Public Instruction to the State Superintendent for Education. **Section 11** of this bill requires the Governor to nominate and the Senate to confirm each appointment as State Superintendent. If the position is vacant at a time when the Legislature is not in session, the Legislative Commission has the authority to confirm such a nominee. (NRS 385.150)

Section 2 of this bill creates within the Department four divisions: (1) the Division of Assessment and Accountability; (2) the Division of Curriculum and Instruction; (3) the Division of Operations, Fiscal Services and Technology; and (4) the Division of Innovation, Research and Professional Development. **Section 15** of this bill revises the Deputy Superintendent of Instructional, Research and Evaluative Services to be the Deputy Superintendent of the Division of Curriculum and Instruction. (NRS 385.290) **Section 16** of this bill revises the Deputy Superintendent for Administrative and Fiscal Services to be the Deputy Superintendent of the Division of Operations, Fiscal Services and Technology. (NRS 385.300) **Sections 3 and 4** of this bill require the State Superintendent for Education to oversee the business of the other two newly created Divisions.

Section 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.

Existing law authorizes a pupil who fails the high school proficiency examination to obtain a standard high school diploma if he: (1) fails the examination in its entirety not less than three times but passes the reading and mathematics portions of the examination; (2) has a 2.75 grade point average; (3) satisfies alternative criteria established by the State Board; and (4) otherwise satisfies the requirements to graduate high school. (NRS 389.805) **Section 43** of this bill allows a pupil to obtain a standard high school diploma if he fails the high school proficiency examination if he: (1) passes any two subject areas on the high school proficiency examination; (2) has a 2.0 grade point average; (3) satisfies alternative criteria established by the State Board; and (4) otherwise satisfies the requirements to graduate from high school.

Section 47 of this bill requires the Department to establish a program of performance pay for voluntary participation by educational personnel and other school personnel and prescribes the requirements for determining eligibility for receipt of the enhanced compensation. Existing law prescribes certain requirements concerning the salaries of teachers. (NRS 391.160) **Section 58** of this bill requires the board of trustees of each school district to adjust the schedule of salaries to ensure that the starting salary of each licensed teacher who is initially hired on or after July 1, 2010, is at least \$40,000 annually.

Section 70 of this bill creates the Commission to Oversee Educational Reform to monitor and report on the progress and effectiveness of the changes and reformations required by this bill.

1 WHEREAS, The Nevada Constitution requires the Legislature to
2 provide for a system of public education in this State; and

3 WHEREAS, The pupils in this State are entitled to receive a
4 world-class education which will ensure year-to-year progress and



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1 which will adequately prepare those pupils to enter postsecondary
2 education and the workforce; and

3 WHEREAS, By enacting the Initiative for a World-Class
4 Education in Nevada, the Legislature will ensure that each pupil
5 receives an education that prepares him for higher education, a
6 career and a lifetime of future success; and

7 WHEREAS, The Initiative for a World-Class Education in
8 Nevada provides for systematic change to the educational structure
9 of this State to facilitate progress toward attaining statewide goals
10 and meeting measurable objectives to ensure the future success of
11 the pupils enrolled in public schools in this State; and

12 WHEREAS, The future of this State is of the utmost importance
13 to the members of the 75th Session of the Nevada Legislature, and
14 educating pupils is vital to securing that future; now, therefore,
15

16
17 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
18 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
19

20 **Section 1.** Chapter 385 of NRS is hereby amended by adding
21 thereto the provisions set forth as sections 2 to 5, inclusive, of this
22 act.

23 **Sec. 2.** *There is hereby created within the Department the:*

24 *1. Division of Assessment and Accountability;*

25 *2. Division of Curriculum and Instruction;*

26 *3. Division of Operations, Fiscal Services and Technology;*
27 *and*

28 *4. Division of Innovation, Research and Professional*
29 *Development.*

30 **Sec. 3.** *1. The State Superintendent for Education shall*
31 *direct the business of the Division of Assessment and*
32 *Accountability.*

33 *2. The Division of Assessment and Accountability may*
34 *perform any duty required by the State Superintendent for*
35 *Education and shall do such work as the State Superintendent*
36 *may direct under the laws of the State.*

37 **Sec. 4.** *1. The State Superintendent for Education shall*
38 *direct the business of the Division of Innovation, Research and*
39 *Professional Development.*

40 *2. The Division of Innovation, Research and Professional*
41 *Development may perform any duty required by the State*
42 *Superintendent for Education and shall do such work as the State*
43 *Superintendent may direct under the laws of the State.*

44 **Sec. 5.** *1. The Department shall adopt a model to measure*
45 *and track from year to year the achievement and progress made by*



1 *each pupil, each group of pupils identified in paragraph (b) of*
2 *subsection 1 of NRS 385.361, each public school, including,*
3 *without limitation, each charter school, each school district and*
4 *the State as a whole.*

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

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

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

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

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

27 **Sec. 6.** NRS 385.010 is hereby amended to read as follows:

28 385.010 1. A Department of Education is hereby created.

29 2. The Department consists of the State Board of Education,
30 the State Board for Career and Technical Education and the *State*
31 Superintendent ~~{of Public Instruction.}~~ *for Education.*

32 3. The *State* Superintendent ~~{of Public Instruction}~~ *for*
33 *Education, who is the chief educational officer for the State,* is the
34 executive head of the Department.

35 **Sec. 7.** NRS 385.014 is hereby amended to read as follows:

36 385.014 When required, the Attorney General shall give his
37 opinion in writing and without fee to the State Board ~~{}~~ *and* the
38 *State* Superintendent ~~{of Public Instruction and the Commission on~~
39 ~~Professional Standards in}~~ *for* Education on matters relating to the
40 powers and duties of the Department.

41 **Sec. 8.** NRS 385.021 is hereby amended to read as follows:

42 385.021 1. The State Board consists of ~~{10 members}~~ *:*

43 (a) *One member* elected by the registered voters within ~~{the~~
44 ~~districts}~~ *each congressional district* described in NRS ~~{385.0225 to~~
45 ~~385.0265,}~~ *304.060 to 304.120, inclusive* ~~{}~~ *;*



- (b) One member appointed by the Governor;
(c) One member appointed by the Majority Leader of the Senate, who must not be a Legislator;
(d) One member appointed by the Speaker of the Assembly, who must not be a Legislator; and
(e) One nonvoting member appointed by the Board of Regents of the University of Nevada.

2. Each member of the State Board :

(a) Elected pursuant to paragraph (a) of subsection 1 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.]~~ (b) Appointed pursuant to paragraph (b), (c) or (d) of subsection 1 must have experience in prekindergarten, elementary, secondary or postsecondary education, be a resident of this State and:

(1) Have experience in public policy or public administration; or

(2) Be active in the business community or industry of this State.

↳ To the extent practicable, those members must be appointed from lists of nominations provided by associations and organizations in this State which are concerned with issues relating to public education, including, without limitation, associations representing educational personnel.

(c) Appointed pursuant to paragraph (e) of subsection 1 must have experience in postsecondary education and be a resident of this State.

3. After the initial terms, each member serves a term of 4 years.

4. If a vacancy occurs on the State Board ~~H~~ during the term of a member who was:

(a) Elected pursuant to paragraph (a) of subsection 1, 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.

(b) Appointed pursuant to paragraph (b), (c), (d) or (e) of subsection 1, the vacancy must be filled in the manner of the original appointment.



~~[6.]~~ 5. No member of the State Board may ~~be elected to the office~~ serve more than three ~~times~~ terms of office.

Sec. 9. NRS 385.075 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

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

(a) *Establishing measurable outcomes for the achievement of school districts;*

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

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

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

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



1 *the academic standards and curriculum developed for students*
2 *enrolled in postsecondary educational institutions in this State;*
3 *and*

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

9 **Sec. 10.** NRS 385.110 is hereby amended to read as follows:

10 385.110 1. Except as otherwise provided in subsections 2 and
11 3, the State Board shall prescribe and cause to be enforced the
12 courses of study for the public schools of this State. The courses of
13 study prescribed and enforced by the State Board must comply with
14 the standards of content and performance established by the
15 ~~{Council to Establish Academic Standards for Public Schools}~~ *State*
16 *Board* pursuant to NRS 389.520.

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

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

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

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

27 **Sec. 11.** NRS 385.150 is hereby amended to read as follows:

28 385.150 1. The ~~{State Board}~~ *Governor* shall *nominate and,*
29 *upon confirmation in accordance with subsection 3,* appoint the
30 *State* Superintendent ~~{of Public Instruction}~~ *for Education* for a
31 term of ~~{3}~~ *2* years ~~{}~~ *commencing on July 1 of odd-numbered*
32 *years.* The ~~{State Board}~~ *Governor* may remove the Superintendent
33 ~~{of Public Instruction}~~ from office for inefficiency, neglect of duty,
34 malfeasance in office or for other just cause. *The State Board may*
35 *provide to the Governor a list of not less than three names of*
36 *persons that the State Board determines are qualified for*
37 *appointment as State Superintendent for Education. The Governor*
38 *shall, to the extent practicable, nominate the State Superintendent*
39 *for Education from the list of names provided by the State Board.*

40 2. A vacancy must be filled by the ~~{State Board}~~ *Governor*
41 *nominating and, upon confirmation in accordance with subsection*
42 *3, appointed* for the remainder of the unexpired term.

43 3. *On or before February 1 of each odd-numbered year, the*
44 *Governor shall provide to the Director of the Legislative Counsel*
45 *Bureau, for transmission to the Senate, the name of the person*



1 *nominated as the State Superintendent for Education. The Senate*
2 *shall, within the first 45 days of the next regularly scheduled*
3 *session of the Legislature, consider the nominee and confirm or*
4 *deny the nomination. If the Senate denies a nomination, the*
5 *Governor may nominate another person as the State*
6 *Superintendent for Education and immediately transmit the name*
7 *to the Senate. The Senate shall, within 30 days after receiving*
8 *each subsequent nomination, consider the nominee and confirm*
9 *or deny the nomination. If the position of State Superintendent for*
10 *Education is not filled during the regular session of the*
11 *Legislature or becomes vacant while the Legislature is not in*
12 *session, the Legislative Commission shall, within 30 days after*
13 *receiving a nomination from the Governor, consider the nominee*
14 *and confirm or deny the nomination. The Governor may not*
15 *nominate as State Superintendent for Education a person who has*
16 *been previously denied by either the Senate or the Legislative*
17 *Commission.*

18 4. The *State* Superintendent ~~{of Public Instruction}~~ *for*
19 *Education* is in the unclassified service of the State.

20 **Sec. 12.** NRS 385.170 is hereby amended to read as follows:

21 385.170 The *State* Superintendent *for Education* shall not
22 pursue any other business or occupation or hold any other office of
23 profit. ~~{without the approval of the State Board of Education.}~~

24 **Sec. 13.** NRS 385.175 is hereby amended to read as follows:

25 385.175 The *State* Superintendent ~~{of Public Instruction}~~ *for*
26 *Education* shall:

27 1. Execute, direct or supervise all administrative, technical and
28 procedural activities of the Department in accordance with policies
29 prescribed by the State Board.

30 2. Employ personnel for the positions approved by the State
31 Board and necessary for the efficient operation of the Department.

32 3. Organize the Department in a manner *consistent with*
33 *section 2 of this act*, which will assure efficient operation and
34 service.

35 4. Maintain liaison and coordinate activities with other state
36 agencies performing educational functions.

37 5. Perform such other duties as are prescribed by law.

38 **Sec. 14.** NRS 385.190 is hereby amended to read as follows:

39 385.190 1. The *State* Superintendent ~~{of Public Instruction}~~
40 *for Education, in consultation with the Division of Innovation,*
41 *Research and Professional Development* or a staff member
42 designated by ~~{him}~~ *the State Superintendent*, shall:

43 (a) Convene teachers' conferences in the various sections of the
44 State in such places and at such times as he deems advisable.



(b) Engage such conference lecturers and leaders as he deems advisable.

(c) Preside over and regulate the programs of all teachers' conferences.

2. No teachers' conference may continue more than 5 days.

3. The *State* Superintendent ~~{of Public Instruction}~~ *for Education, in consultation with the Division of Innovation, Research and Professional Development* or ~~this designated~~ a staff member *designated by the State Superintendent*, shall convene, in such places and at such times as he may designate, conferences of school administrators.

4. The expenses of holding teachers' and administrators' conferences must be paid from the State Distributive School Account in the State General Fund, but the amount must not exceed \$8,400 in any one biennium. The State Controller shall draw his warrants for such expenses upon the order of the *State* Superintendent ~~{of Public Instruction}~~ *for Education*.

Sec. 15. NRS 385.290 is hereby amended to read as follows:

385.290 1. The *State* Superintendent ~~{of Public Instruction}~~ *for Education* may appoint a Deputy Superintendent of ~~{Instructional, Research and Evaluative Services}~~ *the Division of Curriculum and Instruction* who:

(a) Holds a master's degree in school administration or a related subject from an accredited college or university.

(b) Has a minimum of 3 years of administrative experience which includes:

- (1) Supervision and evaluation of staff;
- (2) Development and administration of budgets; and
- (3) Development of curriculum.

2. The Deputy Superintendent of ~~{Instructional, Research and Evaluative Services}~~ *the Division of Curriculum and Instruction* may perform any duty required of the *State* Superintendent ~~{of Public Instruction}~~ *for Education* during the absence of the *State* Superintendent and shall do such work as the *State* Superintendent may direct under the laws of the State.

Sec. 16. NRS 385.300 is hereby amended to read as follows:

385.300 1. The *State* Superintendent ~~{of Public Instruction}~~ *for Education* may appoint a Deputy Superintendent ~~{for Administrative and}~~ *of the Division of Operations, Fiscal Services* ~~{}~~ *and Technology*.

2. The Deputy Superintendent ~~{for Administrative and}~~ *of the Division of Operations, Fiscal Services and Technology* must:

(a) Be a graduate of a 4-year accredited college or university.

(b) Have familiarity with the field of education, as evidenced by:



(1) Sufficient college credits in education to qualify for a license to teach in a high school in this state; or

(2) Participation in recognized educational research and study.

(c) Have familiarity with the general field of public administration and budgeting, as evidenced by:

(1) Sufficient college credits to qualify for a minor in public administration, government management or business management; or

(2) Experience in the preparation of governmental budgets or in governmental accounting or research.

3. No person may be appointed to the position of Deputy Superintendent ~~{for Administrative and}~~ *of the Division of Operations, Fiscal Services and Technology* unless he has the qualifications outlined in subsection 2.

Sec. 17. NRS 385.310 is hereby amended to read as follows:

385.310 The Deputy Superintendent ~~{for Administrative and}~~ *of the Division of Operations, Fiscal Services {} and Technology,* under the direction of the *State* Superintendent ~~{of Public Instruction.}~~ *for Education,* shall:

1. Determine the apportionment of all state school money to schools of the State as prescribed by law.

2. Develop for public schools of the State a uniform system of budgeting and accounting. The system must provide for the separate reporting of expenditures for each:

(a) School district; and

(b) School within a school district.

➔ Upon approval of the State Board, the system is mandatory for all public schools in this State and must be enforced as provided in subsection 2 of NRS 385.315.

3. Carry on a continuing study of school finance in the State, particularly the method by which schools are financed on the state level, and make such recommendations to the *State* Superintendent ~~{of Public Instruction.}~~ *for Education* for submission to the State Board as he deems advisable.

4. Recommend to the *State* Superintendent ~~{of Public Instruction.}~~ *for Education* for submission to the State Board such changes in budgetary and financial procedures as his studies may show to be advisable.

5. Perform such other statistical and financial duties pertaining to the administration and finances of the schools of the State as may be required by the *State* Superintendent ~~{of Public Instruction.}~~ *for Education.*



6. Prepare for the *State* Superintendent ~~{of Public Instruction}~~
for Education the biennial budgets of the Department for
consideration by the State Board and submission to the Governor.

Sec. 18. NRS 385.315 is hereby amended to read as follows:

385.315 In addition to his other duties, the Deputy
Superintendent ~~{for Administrative and}~~ *of the Division of*
Operations, Fiscal Services {,} and Technology, under the direction
of the *State* Superintendent ~~{of Public Instruction,}~~ *for Education,*
shall:

1. Investigate any claim against any school fund or separate
account established under NRS 354.603 whenever a written protest
against the drawing of a warrant, check or order in payment of the
claim is filed with the county auditor. If, upon investigation, the
Deputy Superintendent finds that any such claim is unearned, illegal
or unreasonably excessive, he shall notify the county auditor and the
clerk of the board of trustees who drew the order for the claim,
stating the reasons in writing why the order is unearned, illegal or
excessive. If so notified, the county auditor shall not draw his
warrant in payment of the claim nor shall the board of trustees draw
a check or order in payment of the claim from a separate account
established under NRS 354.603. If the Deputy Superintendent finds
that any protested claim is legal and actually due the claimant, he
shall authorize the county auditor or the board of trustees to draw
his warrant or its check or order on an account established under
NRS 354.603 for the claim, and the county auditor or the board of
trustees shall immediately draw his warrant or its check or order in
payment of the claim.

2. Inspect *and, if he determines necessary, audit* the record
books and accounts of boards of trustees, and enforce the uniform
method of keeping the financial records and accounts of school
districts.

3. Inspect *and, if he determines necessary, audit* the school
fund accounts of the county auditors of the several counties, and
report the condition of the funds of any school district to the board
of trustees thereof.

4. Inspect *and, if he determines necessary, audit* the separate
accounts established by boards of trustees under NRS 354.603, and
report the condition of the accounts to the respective boards of
county commissioners and county treasurers.

Sec. 19. NRS 385.320 is hereby amended to read as follows:

385.320 The Deputy Superintendent of ~~{Instructional, Research
and Evaluative Services and the Deputy Superintendent for
Administrative and Fiscal Services:}~~ *each Division:*

1. ~~{Are}~~ *Is* in the unclassified service of the State.



2. Except as otherwise provided in NRS 284.143, shall ~~teach~~ devote his entire time and attention to the business of his office and shall not pursue any other business or occupation or hold any other office of profit.

Sec. 20. NRS 385.330 is hereby amended to read as follows:

385.330 1. Professional staff and other personnel appointed by the *State* Superintendent ~~{of Public Instruction}~~ *for Education* shall perform such duties as are assigned by the *State* Superintendent.

2. The *State* Superintendent ~~{of Public Instruction,}~~ *for Education*, under the policies of the State Board, shall locate the offices of professional staff and other personnel ~~{where}~~ :

(a) *Where* the needs of the education program can best be served ~~{}~~ ; and

(b) *To reflect the geographic diversity of this State.*

Sec. 21. NRS 385.34691 is hereby amended to read as follows:

385.34691 1. The State Board shall prepare a plan to improve the achievement of pupils enrolled in the public schools in this State. The plan:

(a) Must be prepared in consultation with:

(1) Employees of the Department;

(2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;

(3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; ~~and~~

(4) At least one representative of ~~{the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516,}~~ *a regional training program for the professional development of teachers and administrators created pursuant to NRS 391.512*, appointed by the ~~{Council,}~~ *State Board*; and

(5) *A representative from the Nevada Youth Legislative Issues Forum created by NRS 385.515, appointed by the Chairman of the Forum.*

(b) May be prepared in consultation with:

(1) Representatives of ~~{institutions of higher education;}~~ *the colleges of education in the Nevada System of Higher Education*;

(2) Representatives of regional educational laboratories;

(3) Representatives of outside consultant groups;

(4) ~~{Representatives of the regional training programs for the professional development of teachers and administrators created by NRS 391.512;}~~

~~—(5)}~~ The Bureau; and



~~1~~ ~~(6)~~ (5) Other persons who the State Board determines are
2 appropriate.

3 2. A plan to improve the achievement of pupils enrolled in
4 public schools in this State must include:

5 (a) A review and analysis of the data upon which the report
6 required pursuant to NRS 385.3469 is based and a review and
7 analysis of any data that is more recent than the data upon which the
8 report is based.

9 (b) The identification of any problems or factors common
10 among the school districts or charter schools in this State, as
11 revealed by the review and analysis.

12 (c) Strategies based upon scientifically based research, as
13 defined in 20 U.S.C. § 7801(37), that will strengthen the core
14 academic subjects, as set forth in NRS 389.018.

15 (d) Strategies to improve the academic achievement of pupils
16 enrolled in public schools in this State, including, without limitation,
17 strategies to:

18 (1) Instruct pupils who are not achieving to their fullest
19 potential, including, without limitation:

20 (I) The curriculum appropriate to improve achievement;

21 (II) The manner by which the instruction will improve the
22 achievement and proficiency of pupils on the examinations
23 administered pursuant to NRS 389.015 and 389.550; and

24 (III) An identification of the instruction and curriculum
25 that is specifically designed to improve the achievement and
26 proficiency of pupils in each group identified in paragraph (b) of
27 subsection 1 of NRS 385.361;

28 (2) Increase the rate of attendance of pupils, *improve the*
29 *percentage of pupils who graduate with a high school diploma* and
30 reduce the number of pupils who drop out of school;

31 (3) Integrate technology into the instructional and
32 administrative programs of the school districts;

33 (4) Manage effectively the discipline of pupils; and

34 (5) Enhance the professional development offered for the
35 teachers and administrators employed at public schools in this State
36 to include the activities set forth in 20 U.S.C. § 7801(34) and to
37 address the specific needs of the pupils enrolled in public schools in
38 this State, as deemed appropriate by the State Board.

39 (e) Strategies designed to provide to the pupils enrolled in
40 middle school, junior high school and high school, the teachers and
41 counselors who provide instruction to those pupils, and the parents
42 and guardians of those pupils information concerning:

43 (1) *The availability of programs of career and technical*
44 *education in public schools in this State;*



(2) The requirements for admission to an institution of ~~higher~~ **postsecondary** education and the opportunities for financial aid;

~~(2)~~ (3) The availability of Governor Guinn Millennium Scholarships pursuant to NRS 396.911 to 396.938, inclusive; and

~~(3)~~ (4) The need for a pupil to make informed decisions about his curriculum in middle school, junior high school and high school in preparation for success after graduation.

(f) An identification ~~[, by category,]~~ of the employees of the Department who are responsible for ensuring that each provision of the plan is carried out effectively ~~[,]~~ **, including, without limitation, a description of the duties of those employees relating to the achievement of pupils and the support of the success of pupils in the classroom.**

(g) ~~For~~ **A timeline for carrying out the plan, including benchmarks that indicate the rate of improvement which must be attained annually and, for** each provision of the plan, a timeline for carrying out that provision, including, without limitation, a timeline for monitoring whether the provision is carried out effectively.

(h) For each provision of the plan, measurable criteria for determining whether the provision has contributed toward improving the academic achievement of pupils, increasing the rate of attendance of pupils **, improving the rate of pupils who graduate with a high school diploma** and reducing the number of pupils who drop out of school.

(i) Strategies to improve the allocation of resources from this State, by program and by school district, in a manner that will improve the academic achievement of pupils. 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.

(j) Based upon the reallocation of resources set forth in paragraph (i), the resources available to the State Board and the Department to carry out the plan, including, without limitation, a budget for the overall cost of carrying out the plan.

(k) A summary of the effectiveness 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.

(l) Strategies to increase the percentage of classes that are taught by highly qualified teachers in low-poverty schools.

3. The State Board shall:



(a) Review the plan prepared pursuant to this section annually to evaluate the effectiveness of the plan; ~~{and}~~

(b) *Examine the timeline for implementing the plan and the timeline for implementing each provision of the plan to determine whether the annual benchmarks have been attained;*

(c) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that ~~{the}~~ :

(1) *The benchmarks set forth in the plan are being attained in a timely manner; and*

(2) *The plan is designed to improve the academic achievement of pupils enrolled in public schools in this State.*

4. On or before December 15 of each year, the State Board shall submit the plan or the revised plan, as applicable, to the:

(a) Governor;

(b) Committee;

(c) Bureau;

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

(e) ~~{Council to Establish Academic Standards for Public Schools created by NRS 389.510;~~

~~{f}~~ Board of trustees of each school district; and

~~{g}~~ (f) Governing body of each charter school.

Sec. 22. NRS 385.3782 is hereby amended to read as follows:

385.3782 *As used in NRS 385.3782 to 385.379, inclusive, unless the context otherwise requires,* “Account” means the Account for Programs for Innovation and the Prevention of Remediation created by NRS 385.379.

Sec. 23. NRS 385.3785 is hereby amended to read as follows:

385.3785 1. The ~~{Commission}~~ *State Board* 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 ~~{Commission}~~ *State Board* 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 public schools and consortiums of 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. The ~~{Commission}~~ *State Board* shall not award a grant of money from the Account for a program to provide full-day kindergarten. All public schools and consortiums of public schools, including, without limitation, charter schools, are eligible to submit such an application, regardless of whether the schools have made adequate yearly progress or failed to make adequate yearly progress. A public school or a consortium of public schools selected for participation may be approved by the ~~{Commission}~~ *State Board* 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 public schools and consortiums of public schools that desire to participate in the program.

(e) Establish guidelines for the review, evaluation and approval of applications for grants of money from the Account, including, without limitation, consideration of the list of priorities of public schools provided by the Department pursuant to subsection 5. To ensure consistency in the review, evaluation and approval of applications, if the guidelines authorize the review and evaluation of applications by less than the entire membership of the ~~{Commission,}~~ *State Board or by an advisory committee appointed pursuant to subsection 9*, money must not be allocated from the Account for a grant until the entire membership of the ~~{Commission}~~ *State Board* has reviewed and approved the application for the grant.

(f) Prescribe accountability measures to be carried out by a public school that participates in the program if that 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 schools that participate; and

(2) Conditions for 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.



(g) Determine the amount of money that is available from the Account for those public schools and consortiums of public schools that are selected to participate in the program.

(h) Allocate money to public schools and consortiums of public schools from the Account. Allocations must be distributed not later than August 15 of each year.

(i) Establish criteria for public schools and consortiums of 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 effectiveness of the program of innovation on the achievement of pupils and the overall effectiveness for pupils and staff;

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

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

2. To the extent money is available, the ~~Commission~~ **State Board** shall make allocations of money to public schools and consortiums of 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~~ **State Board** shall comply with the requirements of subsection 1.

3. The ~~Commission~~ **State Board** shall ensure, to the extent practicable, that grants of money provided pursuant to this section reflect the economic and geographic diversity of this State.

4. If a public school or consortium that receives money pursuant to subsection 1 or 2:

(a) Does not meet the criteria for effectiveness as prescribed in paragraph (i) of subsection 1;

(b) Does not, as a result of the program for which the grant of money was awarded, show improvement in the achievement of pupils, as determined in an evaluation conducted pursuant to subsection 3 of NRS 385.379; or

(c) Does not implement the program for which the money was received, as determined in an evaluation conducted pursuant to subsection 3 of NRS 385.379,



1 ➔ over a 2-year period, the ~~{Commission}~~ *State Board* may
2 consider not awarding future allocations of money to that public
3 school or consortium of public schools.

4 5. On or before July 1 of each year, the Department shall
5 provide a list of priorities of public schools that indicates:

6 (a) The adequate yearly progress status of schools in the
7 immediately preceding year; ~~{and}~~

8 (b) The public schools that are considered Title I eligible by the
9 Department based upon the poverty level of the pupils enrolled in a
10 school in comparison to the poverty level of the pupils in the school
11 district as a whole ~~{;}~~ *; and*

12 (c) *The status of the public schools in achieving the goals and*
13 *measurable outcomes prescribed by the State Board pursuant to*
14 *NRS 385.075,*

15 ➔ for consideration by the ~~{Commission}~~ *State Board* in its
16 development of procedures for the applications.

17 6. A public school, including, without limitation, a charter
18 school, or a consortium of public schools may request assistance
19 from the school district in which the school is located in preparing
20 an application for a grant of money pursuant to this section. A
21 school district shall assist each public school or consortium of
22 public schools that requests assistance pursuant to this subsection to
23 ensure that the application of the school:

24 (a) Is based directly upon the plan to improve the achievement
25 of pupils prepared for the school pursuant to NRS 385.357;

26 (b) Is developed in accordance with the criteria established by
27 the ~~{Commission;}~~ *State Board;* and

28 (c) Is complete and complies with all technical requirements for
29 the submission of an application.

30 ➔ A school district may make recommendations to the individual
31 schools and consortiums of public schools. Such schools and
32 consortiums of public schools are not required to follow the
33 recommendations of a school district.

34 7. In carrying out the requirements of this section, the
35 ~~{Commission}~~ *State Board* shall review and consider the programs
36 of remedial study adopted by the Department pursuant to NRS
37 385.389, the list of approved providers of supplemental services
38 maintained by the Department pursuant to NRS 385.384 and the
39 recommendations submitted by the Committee pursuant to NRS
40 218.5354 concerning programs, practices and strategies that have
41 proven effective in improving the academic achievement and
42 proficiency of pupils.

43 8. If a consortium of public schools is formed for the purpose
44 of submitting an application pursuant to this section, the public



schools within the consortium do not need to be located within the same school district.

9. The State Board may appoint an advisory committee composed of six members who are qualified and who represent the ethnic and geographic diversity of the State to carry out the provisions of this section. The advisory committee serves at the pleasure of the State Board and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

Sec. 24. NRS 385.3787 is hereby amended to read as follows:

385.3787 1. A public school or consortium of public schools that receives an allocation of money from the Account shall:

(a) Account for the money separately;

(b) Use the money to supplement and not replace the money that would otherwise be expended by the school district or public school for the achievement of pupils in kindergarten through grade 6 or pupils in grades 7 through 12, as applicable; and

(c) Submit an evaluation of the effectiveness of the allocation in improving the achievement of pupils in kindergarten through grade 6 or pupils in grades 7 through 12, as applicable, in accordance with the criteria for evaluation established by the ~~{Commission}~~ **State Board** pursuant to NRS 385.3785.

2. A public school or consortium of public schools that receives an allocation of money from the Account shall not:

(a) Use the money to settle or arbitrate disputes or negotiate settlements between an organization that represents licensed employees of the school district or public school and the school district or public school, as applicable.

(b) Use the money to adjust the schedules of salaries and benefits of the employees of the school district or public school, as applicable.

Sec. 25. NRS 385.3789 is hereby amended to read as follows:

385.3789 1. The ~~{Commission}~~ **State Board** shall prepare an annual report that describes the distribution of money to the public schools and consortiums of public schools and the programs for which money was allocated from the Account, including, without limitation, the total amount of money allocated:

(a) To each consortium of public schools, with a designation of which public schools are included in each consortium;

(b) To each public school;

(c) To schools included on the list of priorities of schools provided by the Department pursuant to NRS 385.3785;

(d) For programs that provide services directly to pupils for remediation and innovation, including, without limitation, instruction, instructional materials and support materials;



(e) For programs that provide instructional support and have an indirect effect on pupils, including, without limitation, the provision of professional development for educational personnel and the employment of administrators; ~~and~~

(f) For each program, including, without limitation:

(1) A description of the program, including, without limitation, whether the program is available commercially;

(2) Whether the ~~Commission~~ *State Board* considers the program to be innovative;

(3) Whether the program includes the provision of professional development other than professional development that is related to carrying out a program that provides services directly to pupils;

(4) The costs to implement the program; and

(5) The full-time personnel necessary to implement the program, if any ~~it~~; and

(g) For evaluations of the programs for which money was allocated from the Account pursuant to subsection 3 of NRS 385.379.

➔ The report must be submitted on or before September 1 of each year to the entities identified in subsection 3.

2. The ~~Commission~~ *State Board* shall:

(a) Prepare an annual report that describes:

(1) The activities of the ~~Commission~~ *State Board relating to the provisions of NRS 385.3782 to 385.379, inclusive;*

(2) An analysis of the progress of *and strategies proposed by* the public schools in carrying out the plans to improve the achievement of pupils; and

(3) An analysis of the progress of *and strategies proposed by* the public schools and consortiums of 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 ~~Commission~~ *State Board* shall submit the reports required by this section to the:

(a) ~~State Board;~~

~~(b)~~ Governor;

~~(c)~~ (b) Committee;

~~(d)~~ (c) Bureau;

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

~~(f)~~ (e) Board of trustees of each school district.

4. The Legislative Auditor shall audit biennially the programs for which public schools and consortiums of public schools receive an allocation of money. The audit may include a representative



sample of programs, based upon geographic location and type of program. The Legislative Auditor shall report the results of each biennial audit to the entities prescribed in subsection 3.

Sec. 26. 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 **State** Superintendent ~~{of Public Instruction}~~ **for Education**. The **State** Superintendent ~~{of Public Instruction}~~ **for Education** 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 or 3. The interest and income earned on the sum of:

(a) The money in the Account; and

(b) Unexpended appropriations made to the Account from the State General Fund,
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. Except as otherwise provided in ~~{NRS 385.3784 and}~~ subsection 3, the money in the Account may only be used for the allocation of money to public schools and consortiums of public schools whose applications are approved by the ~~{Commission}~~ **State Board** pursuant to NRS 385.3785.

3. Upon the request of the ~~{Commission}~~ **State Board**:

(a) Not more than \$50,000 in the Account may be used each biennium to pay:

(1) The expenses incurred by members of the ~~{Commission}~~ **State Board** to travel to the public schools and consortiums of public schools that received allocations of money from the Account; and

(2) The costs incurred by the ~~{Commission}~~ **State Board** to hold meetings or conferences for representatives of public schools and consortiums of schools that received allocations of money from the Account to discuss or display, or both, programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

(b) Not more than \$450,000 in the Account may be used each biennium to pay for an evaluation of the programs for which money was allocated from the Account. If the ~~{Commission}~~ **State Board** uses money in the Account for such an evaluation, the ~~{Commission}~~ **State Board** shall ensure that:

(1) A request for proposals is issued and a qualified, independent consultant is selected to conduct the evaluation;



* S B 3 3 0 *

(2) Upon selection of the consultant, the ~~Commission~~ **State Board** receives approval of the consultant and the plan for the evaluation from the Committee;

(3) The evaluation is designed to determine the effectiveness of the programs for which money was allocated from the Account in improving the achievement of pupils;

(4) The evaluation includes an identification of the programs for which money was allocated from the Account that did not improve the achievement of pupils as described in the approved application for the grant;

(5) The evaluation includes an identification of the public schools and consortiums of public schools that did not implement the programs for which money was allocated from the Account as described in the approved application for the grant; and

(6) The evaluation includes a compilation and review of each evaluation required to be submitted by public schools and consortiums of public schools pursuant to NRS 385.3787.

Sec. 27. NRS 385.389 is hereby amended to read as follows:

385.389 1. The Department shall adopt programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015, including, without limitation, programs that are designed for pupils who are limited English proficient. The programs adopted for pupils who are limited English proficient must be designed to:

(a) Improve the academic achievement of those pupils; or

(b) Assist those pupils with attaining proficiency in the English language.

➔ In adopting these programs of remedial study, the Department shall consider the recommendations submitted by the Committee pursuant to NRS 218.5354 and programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

2. If a school fails to make adequate yearly progress or if less than 60 percent of the pupils enrolled in a school who took the examinations administered pursuant to NRS 389.015 received an average score on those examinations that is at least equal to the 26th percentile of the national reference group of pupils to which the examinations were compared, the school shall adopt a program of remedial study that has been adopted by the Department pursuant to subsection 1 or a program, practice or strategy recommended by the ~~Commission on Educational Excellence~~ **State Board** pursuant to NRS 385.3785, or any combination thereof, as applicable.

3. A school district that includes a school described in subsection 2 shall ensure that each of the pupils enrolled in the school who failed to demonstrate at least adequate achievement on



1 the examinations administered pursuant to NRS 389.015 completes,
2 in accordance with the requirements set forth in subsection 4 of
3 NRS 389.015, remedial study that is determined to be appropriate
4 for the pupil.

5 **Sec. 28.** NRS 385.620 is hereby amended to read as follows:

6 385.620 The Advisory Council shall:

7 1. Review the policy of parental involvement adopted by the
8 State Board and the policy of parental involvement adopted by the
9 board of trustees of each school district pursuant to NRS 392.457;

10 2. Review the information relating to communication with and
11 participation of parents that is included in the annual report of
12 accountability for each school district pursuant to paragraph (j) of
13 subsection 2 of NRS 385.347;

14 3. Review any effective practices carried out in individual
15 school districts to increase parental involvement and determine the
16 feasibility of carrying out those practices on a statewide basis;

17 4. Review any effective practices carried out in other states to
18 increase parental involvement and determine the feasibility of
19 carrying out those practices in this State;

20 5. Identify methods to communicate effectively and provide
21 outreach to parents and legal guardians of pupils who have limited
22 time to become involved in the education of their children for
23 various reasons, including, without limitation, work schedules,
24 single-parent homes and other family obligations;

25 6. Identify the manner in which the level of parental
26 involvement affects the performance, attendance and discipline of
27 pupils;

28 7. Identify methods to communicate effectively with and
29 provide outreach to parents and legal guardians of pupils who are
30 limited English proficient;

31 8. Determine the necessity for the appointment of a statewide
32 parental involvement coordinator or a parental involvement
33 coordinator in each school district, or both;

34 9. On or before July 1 of each year, submit a report to the *State*
35 *Board and the* Legislative Committee on Education describing the
36 activities of the Advisory Council and any recommendations for
37 legislation; and

38 10. On or before February 1 of each odd-numbered year,
39 submit a report *to the State Board and* to the Director of the
40 Legislative Counsel Bureau for transmission to the next regular
41 session of the Legislature describing the activities of the Advisory
42 Council and any recommendations for legislation.

43 **Sec. 29.** NRS 387.303 is hereby amended to read as follows:

44 387.303 1. Not later than November 10 of each year, the
45 board of trustees of each school district shall submit to the *State*



1 Superintendent ~~{of Public Instruction}~~ **for Education** and the
2 Department of Taxation a report which includes the following
3 information:

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

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

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

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

21 (e) The schedule of salaries for licensed employees in the
22 current school year and a statement of whether the negotiations
23 regarding salaries for the current school year have been completed.
24 If the negotiations have not been completed at the time the schedule
25 of salaries is submitted, the board of trustees shall submit a
26 supplemental report to the **State** Superintendent ~~{of Public~~
27 ~~Instruction}~~ **for Education** upon completion of negotiations or the
28 determination of an arbitrator concerning the negotiations that
29 includes the schedule of salaries agreed to or required by the
30 arbitrator.

31 (f) The number of employees who received an increase in salary
32 pursuant to subsection ~~{2, 3 or 4}~~ **3, 4 or 5** of NRS 391.160 for the
33 current and preceding fiscal years. If the board of trustees is
34 required to pay an increase in salary retroactively pursuant to
35 subsection ~~{2}~~ **3** of NRS 391.160, the board of trustees shall submit
36 a supplemental report to the **State** Superintendent ~~{of Public~~
37 ~~Instruction}~~ **for Education** not later than February 15 of the year in
38 which the retroactive payment was made that includes the number
39 of teachers to whom an increase in salary was paid retroactively.

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



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

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

(j) The expenditures from the account created pursuant to subsection ~~3~~ 4 of NRS 179.1187. The report must indicate the total amount received by the district in the preceding fiscal year, and the specific amount spent on books and computer hardware and software for each grade level in the district.

2. On or before November 25 of each year, the **State Superintendent** ~~{of Public Instruction}~~ **for Education** shall submit to the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format approved by the Director of the Department of Administration, a compilation of the reports made by each school district pursuant to subsection 1.

3. In preparing the agency biennial budget request for the State Distributive School Account for submission to the Department of Administration, the **State Superintendent** ~~{of Public Instruction:}~~ **for Education:**

(a) Shall compile the information from the most recent compilation of reports submitted pursuant to subsection 2;

(b) May increase the line items of expenditures or revenues based on merit salary increases and cost of living adjustments or inflation, as deemed credible and reliable based upon published indexes and research relevant to the specific line item of expenditure or revenue;

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

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

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

4. The **State Superintendent** ~~{of Public Instruction}~~ **for Education** shall, in the compilation required by subsection 2,



* S B 3 3 0 *

1 reconcile the revenues of the school districts with the apportionment
2 received by those districts from the State Distributive School
3 Account for the preceding year.

4 5. The request prepared pursuant to subsection 3 must:

5 (a) Be presented by the *State* Superintendent ~~{of—Public~~
6 ~~Instruction}~~ *for Education* to such standing committees of the
7 Legislature as requested by the standing committees for the
8 purposes of developing educational programs and providing
9 appropriations for those programs; and

10 (b) Provide for a direct comparison of appropriations to the
11 proposed budget of the Governor submitted pursuant to subsection 4
12 of NRS 353.230.

13 **Sec. 30.** NRS 388.787 is hereby amended to read as follows:

14 388.787 *As used in NRS 388.787 to 388.805, inclusive, unless*
15 *the context otherwise requires*, “Committee” means the Legislative
16 Committee on Education created pursuant to NRS 218.5352.

17 **Sec. 31.** NRS 388.795 is hereby amended to read as follows:

18 388.795 1. The ~~{Commission}~~ *State Board* shall establish a
19 plan for the use of educational technology in the public schools of
20 this State. In preparing the plan, the ~~{Commission}~~ *State Board* shall
21 consider:

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

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

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

27 (d) The results of the assessment of needs conducted pursuant to
28 subsection ~~{6;}~~ *5*; and

29 (e) Any other information that the ~~{Commission}~~ *State Board* or
30 the Committee deems relevant to the preparation of the plan.

31 2. The plan established by the ~~{Commission}~~ *State Board* must
32 include recommendations for methods to:

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

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

37 (c) Increase the availability of educational technology to assist
38 licensed teachers and other educational personnel in complying with
39 the requirements of continuing education, including, without
40 limitation, the receipt of credit for college courses completed
41 through the use of educational technology;

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

44 (e) Address the needs of teachers in incorporating the use of
45 educational technology in the classroom, including, without



* S B 3 3 0 *

1 limitation, the completion of training that is sufficient to enable the
2 teachers to instruct pupils in the use of educational technology.

3 3. ~~{The Department shall provide:~~

4 ~~—(a) Administrative support;~~

5 ~~—(b) Equipment; and~~

6 ~~—(c) Office space;~~

7 ~~↪ as is necessary for the Commission to carry out the provisions of~~
8 ~~this section.~~

9 ~~—4.}~~ The following entities shall cooperate with the
10 ~~{Commission}~~ **State Board** in carrying out the provisions of this
11 section:

12 (a) ~~{The State Board.~~

13 ~~—(b)}~~ The board of trustees of each school district.

14 ~~{(c)}~~ (b) The superintendent of schools of each school district.

15 ~~{(d)}~~ (c) The Department ~~{.~~

16 ~~5.}~~ , including specifically the *Division of Operations, Fiscal*
17 *Services and Technology.*

18 4. The ~~{Commission}~~ **State Board** shall:

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

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

30 (c) Establish criteria for the board of trustees of a school district
31 that receives an allocation of money from the ~~{Commission}~~ **State**
32 **Board** to:

33 (1) Repair, replace and maintain computer systems.

34 (2) Upgrade and improve computer hardware and software
35 and other educational technology.

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

38 (d) Submit to the Governor, the Committee and the Department
39 its plan for the use of educational technology in the public schools
40 of this State and any recommendations for legislation.

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

43 (f) In addition to the recommendations set forth in the plan
44 pursuant to subsection 2, make further recommendations to the



* S B 3 3 0 *

Committee and the Department as the ~~{Commission}~~ *State Board* deems necessary.

~~{6-}~~ 5. During the spring semester of each even-numbered school year, the ~~{Commission}~~ *State Board* shall conduct an assessment of the needs of each school district relating to educational technology. In conducting the assessment, the ~~{Commission}~~ *State Board* shall consider:

(a) The recommendations set forth in the plan pursuant to subsection 2;

(b) The plan for educational technology of each school district, if applicable;

(c) Evaluations of educational technology conducted for the State or for a school district, if applicable; and

(d) Any other information deemed relevant by the ~~{Commission-}~~ *State Board*.

➔ The ~~{Commission}~~ *State Board* shall submit a final written report of the assessment to the *State* Superintendent ~~{of Public Instruction}~~ *for Education* on or before April 1 of each even-numbered year.

~~{7-}~~ 6. The *State* Superintendent ~~{of Public Instruction}~~ *for Education* shall prepare a written compilation of the results of the assessment conducted by the ~~{Commission}~~ *State Board* and transmit the written compilation on or before June 1 of each even-numbered year to the Legislative Committee on Education and to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.

~~{8-}~~ 7. The ~~{Commission}~~ *State Board* may appoint an advisory committee composed of *six* members ~~{of the Commission or other qualified persons}~~ *who are qualified and who represent the ethnic and geographic diversity of this State* to provide recommendations to the ~~{Commission}~~ *State Board* 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 advisory committee serves at the pleasure of the ~~{Commission}~~ *State Board* and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

~~{9-}~~ 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. 32. 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 *State* Superintendent ~~{of Public Instruction-}~~ *for Education*. The Superintendent may accept gifts and grants of



1 money from any source for deposit in the Trust Fund. Any such
2 money may be expended in accordance with the terms and
3 conditions of the gift or grant, or in accordance with subsection 3.

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

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

13 **Sec. 33.** NRS 388.805 is hereby amended to read as follows:

14 388.805 The ~~{Department shall, in consultation with the~~
15 ~~Commission,}~~ **State Board shall** adopt regulations that establish a
16 program whereby school districts may apply to the ~~{Commission on~~
17 ~~Educational Technology}~~ **State Board** for money from the Trust
18 Fund for Educational Technology.

19 **Sec. 34.** NRS 389.012 is hereby amended to read as follows:

20 389.012 1. The State Board shall:

21 (a) In accordance with guidelines established by the National
22 Assessment Governing Board and National Center for Education
23 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
24 regulations adopted pursuant thereto, adopt regulations requiring the
25 schools of this State that are selected by the National Assessment
26 Governing Board or the National Center for Education Statistics to
27 participate in the examinations of the National Assessment of
28 Educational Progress.

29 (b) Report the results of those examinations to the:

30 (1) Governor;
31 (2) Board of trustees of each school district of this State;
32 (3) Legislative Committee on Education created pursuant to
33 NRS 218.5352; and

34 (4) Legislative Bureau of Educational Accountability and
35 Program Evaluation created pursuant to NRS 218.5356.

36 (c) Include in the report required pursuant to paragraph (b) an
37 analysis and comparison of the results of pupils in this State on the
38 examinations required by this section with:

39 (1) The results of pupils throughout this country who
40 participated in the examinations of the National Assessment of
41 Educational Progress; and

42 (2) The results of pupils on the achievement and proficiency
43 examinations administered pursuant to this chapter.

44 2. If the report required by subsection 1 indicates that the
45 percentage of pupils enrolled in the public schools in this State who



are proficient on the National Assessment of Educational Progress differs by more than 10 percent of the pupils who are proficient on the examinations administered pursuant to NRS 389.550 and the high school proficiency examination administered pursuant to NRS 389.015, the Department shall prepare a written report describing the discrepancy. The report must include, without limitation, a comparison and evaluation of:

(a) The standards of content and performance for English and mathematics established pursuant to NRS 389.520 with the standards for English and mathematics that are tested on the National Assessment.

(b) The standards for proficiency established for the National Assessment with the standards for proficiency established for the examinations that are administered pursuant to NRS 389.550 and the high school proficiency examination administered pursuant to NRS 389.015.

3. The report prepared by the Department pursuant to subsection 2 must be submitted to the:

- (a) Governor;
- (b) Legislative Committee on Education;
- (c) Legislative Bureau of Educational Accountability and Program Evaluation; and

(d) ~~{Council to Establish Academic Standards for Public Schools.}~~ **State Board.**

4. The ~~{Council to Establish Academic Standards for Public Schools.}~~ **State Board** shall review and evaluate the report provided to the ~~{Council}~~ **State Board** pursuant to subsection 3 to identify any discrepancies in the standards of content and performance established by the ~~{Council}~~ **State Board** that require revision and a timeline for carrying out the revision, if necessary. The ~~{Council}~~ **State Board** shall submit a written report of its review and evaluation to the Legislative Committee on Education and Legislative Bureau of Educational Accountability and Program Evaluation.

Sec. 35. NRS 389.015 is hereby amended to read as follows:

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

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

2. The examinations required by subsection 1 must be:



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

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

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

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

(1) The plan adopted by the Department; and

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

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

3. Not more than 14 working days after the results of the examinations are reported to the Department by a private entity that scored the examinations, the ~~State Superintendent of Public Instruction~~ **for Education** shall certify that the results of the examinations have been transmitted to each school district and each charter school. Not more than 10 working days after a school district receives the results of the examinations, the superintendent of schools of each school district shall certify that the results of the examinations have been transmitted to each school within the school district. Except as otherwise provided in this subsection, not more than 15 working days after each school receives the results of the examinations, the principal of each school and the governing body of each charter school shall certify that the results for each pupil have been provided to the parent or legal guardian of the pupil:

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

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



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

6 4. If a pupil fails to demonstrate at least adequate achievement
7 on the examination administered before the completion of grade 4, 7
8 or 10, he may be promoted to the next higher grade, but the results
9 of his examination must be evaluated to determine what remedial
10 study is appropriate. If such a pupil is enrolled at a school that has
11 failed to make adequate yearly progress or in which less than 60
12 percent of the pupils enrolled in grade 4, 7 or 10 in the school who
13 took the examinations administered pursuant to this section received
14 an average score on those examinations that is at least equal to the
15 26th percentile of the national reference group of pupils to which
16 the examinations were compared, the pupil must, in accordance with
17 the requirements set forth in this subsection, complete remedial
18 study that is determined to be appropriate for the pupil.

19 5. If a pupil fails to pass the high school proficiency
20 examination, he must not be graduated unless he:

21 (a) Is able, through remedial study, to pass the proficiency
22 examination; or

23 (b) Passes **at least two of** the subject areas ~~[of mathematics and~~
24 ~~reading]~~ tested on the proficiency examination, has at least a ~~[2.75]~~
25 **2.0** grade point average on a 4.0 grading scale and satisfies the
26 alternative criteria prescribed by the State Board pursuant to
27 NRS 389.805,

28 ➡ but he may be given a certificate of attendance, in place of a
29 diploma, if he has reached the age of 18 years.

30 6. The State Board shall prescribe standard examinations of
31 achievement and proficiency to be administered pursuant to
32 subsection 1. The high school proficiency examination must include
33 the subjects of reading, mathematics and science and, except for the
34 writing portion prescribed pursuant to NRS 389.550, must be
35 developed, printed and scored by a nationally recognized testing
36 company in accordance with the process established by the testing
37 company. The examinations on reading, mathematics and science
38 prescribed for grades 4, 7 and 10 must be selected from
39 examinations created by private entities and administered to a
40 national reference group, and must allow for a comparison of the
41 achievement and proficiency of pupils in grades 4, 7 and 10 in this
42 State to that of a national reference group of pupils in grades 4, 7
43 and 10. The questions contained in the examinations and the
44 approved answers used for grading them are confidential, and
45 disclosure is unlawful except:



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

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

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

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

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

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

(c) That specific questions and answers may be disclosed if the ~~State Superintendent of Public Instruction~~ **for Education** determines that the content of the questions and answers is not being used in a current examination and making the content available to the public poses no threat to the security of the current examination process.

(d) As required pursuant to NRS 239.0115.

Sec. 36. NRS 389.019 is hereby amended to read as follows:

389.019 Except as otherwise provided in NRS 389.180, boards of trustees of school districts in this State shall enforce in schools:

1. The standards of content and performance established by the ~~Council to Establish Academic Standards for Public Schools~~ **State Board** and the courses of study related to those standards; and

2. The courses of study prescribed and adopted by the State Board.

Sec. 37. NRS 389.520 is hereby amended to read as follows:

389.520 1. The ~~Council~~ **State Board** 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



1 review must include, without limitation, the review required
2 pursuant to NRS 389.570 of the results of pupils on the
3 examinations administered pursuant to NRS 389.550.

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

7 2. The ~~{Council}~~ *State Board* shall establish *and adopt*
8 standards of content and performance for each grade level in
9 kindergarten and grades 1 to 8, inclusive, for English and
10 mathematics. The ~~{Council}~~ *State Board* shall establish *and adopt*
11 standards of content and performance for the grade levels selected
12 by the ~~{Council}~~ *State Board* for the other courses of study
13 prescribed in subsection 1.

14 3. ~~{The Council shall forward to the State Board the standards~~
15 ~~of content and performance established by the Council for each~~
16 ~~course of study. The State Board shall:~~

17 ~~—(a) Adopt the standards for each course of study, as submitted~~
18 ~~by the Council; or~~

19 ~~—(b) If the State Board objects to the standards for a course of~~
20 ~~study or a particular grade level for a course of study, return those~~
21 ~~standards to the Council with a written explanation setting forth the~~
22 ~~reason for the objection.~~

23 ~~4. If the State Board returns to the Council the standards of~~
24 ~~content and performance for a course of study or a grade level, the~~
25 ~~Council shall:~~

26 ~~—(a) Consider the objection provided by the State Board and~~
27 ~~determine whether to revise the standards based upon the objection;~~
28 ~~and~~

29 ~~—(b) Return the standards or the revised standards, as applicable,~~
30 ~~to the State Board.~~

31 ~~↪ The State Board shall adopt the standards of content and~~
32 ~~performance or the revised standards, as applicable.~~

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

36 **Sec. 38.** NRS 389.530 is hereby amended to read as follows:

37 389.530 ~~{1. The Department shall provide:~~

38 ~~—(a) Administrative support;~~

39 ~~—(b) Equipment; and~~

40 ~~—(c) Office space;~~

41 ~~↪ as is necessary for the Council to carry out its duties.~~

42 ~~2. The Council may request assistance from any agency of this~~
43 ~~state if the assistance is necessary for the Council to carry out its~~
44 ~~duties.]~~ *The State Board may appoint an advisory committee*
45 *composed of six members who are qualified and who represent the*



ethnic and geographic diversity of this State to carry out the provisions of NRS 389.520 to 389.570, inclusive. The advisory committee serves at the pleasure of the State Board and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

Sec. 39. 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~~ **State Board** pursuant to NRS 389.520 and if revision of the courses of study is necessary to ensure compliance.

Sec. 40. NRS 389.550 is hereby amended to read as follows:

389.550 1. The State Board shall ~~[- in consultation with the 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 8 in the standards of content established by the ~~Council~~ **State Board** for the subjects of English and mathematics.

(b) For grades 5 and 8, in the standards of content established by the ~~Council~~ **State Board** 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 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



1 Department shall monitor the compliance of school districts and
2 individual schools with:

- 3 (1) The plan adopted by the Department; and
- 4 (2) The plan adopted by the board of trustees of the
5 applicable school district, to the extent that the plan adopted by the
6 board of trustees of the school district is consistent with the plan
7 adopted by the Department.

8 **Sec. 41.** NRS 389.560 is hereby amended to read as follows:

9 389.560 1. The State Board shall adopt regulations that
10 require the board of trustees of each school district and the
11 governing body of each charter school to submit to the *State*
12 Superintendent ~~{of Public Instruction,}~~ *for Education,* the
13 Department and the ~~{Council,}~~ *State Board,* in the form and manner
14 prescribed by the Superintendent, the results of the examinations
15 administered pursuant to NRS 389.550. The State Board shall not
16 include in the regulations any provision that would violate the
17 confidentiality of the test scores of an individual pupil.

18 2. The results of the examinations must be reported for each
19 school, including, without limitation, each charter school, school
20 district and this State, as follows:

21 (a) The percentage of pupils who have demonstrated
22 proficiency, as defined by the Department, and took the
23 examinations under regular testing conditions; and

24 (b) The percentage of pupils who have demonstrated
25 proficiency, as defined by the Department, and took the
26 examinations with modifications or accommodations, if such
27 reporting does not violate the confidentiality of the test scores of any
28 individual pupil.

29 3. Not later than 10 days after the Department receives the
30 results of the examinations, the Department shall transmit a copy of
31 the results to the Legislative Bureau of Educational Accountability
32 and Program Evaluation in a manner that does not violate the
33 confidentiality of the test scores of any individual pupil.

34 4. On or before July 1 of each year, each school district and
35 each charter school shall report to the Department the following
36 information for each examination administered in the public schools
37 in the school district or charter school:

38 (a) The examination administered;

39 (b) The grade level or levels of pupils to whom the examination
40 was administered;

41 (c) The costs incurred by the school district or charter school in
42 administering each examination; and

43 (d) The purpose, if any, for which the results of the examination
44 are used by the school district or charter school.



1 ➔ On or before September 1 of each year, the Department shall
2 transmit to the Budget Division of the Department of
3 Administration and the Fiscal Analysis Division of the Legislative
4 Counsel Bureau the information submitted to the Department
5 pursuant to this subsection.

6 5. The superintendent of schools of each school district and the
7 governing body of each charter school shall certify that the number
8 of pupils who took the examinations is equal to the number of pupils
9 who are enrolled in each school in the school district or in the
10 charter school who are required to take the examinations.

11 6. In addition to the information required by subsection 4, the
12 **State Superintendent ~~of Public Instruction~~ for Education** shall:

13 (a) Report the number of pupils who were not exempt from
14 taking the examinations but were absent from school on the day that
15 the examinations were administered; and

16 (b) Reconcile the number of pupils who were required to take
17 the examinations with the number of pupils who were exempt from
18 taking the examinations or absent from school on the day that the
19 examinations were administered.

20 **Sec. 42.** NRS 389.570 is hereby amended to read as follows:

21 389.570 1. The ~~Council~~ **State Board** shall review the results
22 of pupils on the examinations administered pursuant to NRS
23 389.550, including, without limitation, for each school in a school
24 district and each charter school that is located within a school
25 district, a review of the results for the current school year and a
26 comparison of the progress, if any, made by the pupils enrolled in
27 the school from preceding school years.

28 2. After the completion of the review pursuant to subsection 1,
29 the ~~Council~~ **State Board** shall evaluate:

30 (a) Whether the standards of content and performance
31 established by the ~~Council~~ **State Board** require revision; and

32 (b) The success of pupils, as measured by the results of the
33 examinations, in achieving the standards of performance established
34 by the ~~Council~~ **State Board**.

35 3. The ~~Council~~ **State Board** shall report the results of the
36 evaluation conducted pursuant to subsection 2 to the ~~State Board~~
37 ~~and the~~ Legislative Committee on Education.

38 **Sec. 43.** NRS 389.805 is hereby amended to read as follows:

39 389.805 1. A pupil must receive a standard high school
40 diploma if he:

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



1 **Sec. 45.** Chapter 391 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 46 and 47 of this act.

3 **Sec. 46.** *The State Board may appoint an advisory committee*
4 *composed of six members who are qualified and who represent the*
5 *ethnic and geographic diversity of this State to advise the State*
6 *Board in carrying out the provisions of this chapter. The advisory*
7 *committee serves at the pleasure of the State Board and without*
8 *compensation unless an appropriation or other money for that*
9 *purpose is provided by the Legislature.*

10 **Sec. 47. 1.** *Within the limits of available money, the*
11 *Department shall establish a program of performance pay for*
12 *voluntary participation by licensed educational personnel and*
13 *other school personnel of public schools that demonstrate*
14 *improvement and exceptional performance.*

15 2. *The program must prescribe a formula for determining the*
16 *classroom performance of each teacher who voluntarily*
17 *participates in the program, which must give equal consideration*
18 *to:*

19 (a) *The achievement and progress made by the pupils enrolled*
20 *in the teacher's classroom, as measured by the model adopted*
21 *pursuant to section 5 of this act; and*

22 (b) *The professional accomplishments of the teacher, as*
23 *evidenced by:*

24 (1) *Evaluations of the teacher conducted in accordance*
25 *with the policies adopted pursuant to NRS 391.3125;*

26 (2) *The participation of the teacher in professional*
27 *development and other training;*

28 (3) *The results of peer reviews and parent satisfaction*
29 *surveys concerning the school, if enough completed surveys are*
30 *available to assess performance; and*

31 (4) *Any other measure of the professional accomplishments*
32 *of the teacher deemed appropriate by the Department.*

33 3. *The program must prescribe a formula for determining the*
34 *performance of each public school for purposes of awarding*
35 *enhanced performance pay to other school personnel who*
36 *voluntarily participate in the program and who are not teachers.*
37 *The formula must give equal consideration to:*

38 (a) *The achievement and progress of pupils enrolled in the*
39 *public school which is tracked from year to year to determine*
40 *whether the school has made progress in the achievement of*
41 *pupils, as measured by the model adopted pursuant to section 5 of*
42 *this act; and*

43 (b) *The professional accomplishments of the school personnel,*
44 *as evidenced by:*



(1) *The participation of the school personnel in development and training in their area of employment;*

(2) *The results of parent satisfaction surveys concerning the school, if enough completed surveys are available to assess the performance of the school; and*

(3) *Any other measure of the accomplishments of school personnel deemed appropriate by the Department.*

4. *The Department shall provide enhanced compensation to licensed educational personnel and other school personnel who voluntarily participate in the program and, as calculated pursuant to this section, are in the top quartile of progress in pupil achievement and professional accomplishment.*

Sec. 48. NRS 391.008 is hereby amended to read as follows:

391.008 1. ~~["Paraprofessional"]~~ *As used in this chapter, unless the context otherwise requires, "paraprofessional" means a person who is employed by and assigned by a school district or charter school to:*

(a) Provide one-on-one tutoring for a pupil;

(b) Assist with the management of a classroom, including, without limitation, organizing instructional materials;

(c) Provide assistance in a computer laboratory;

(d) Conduct parental involvement activities in conjunction with one or more duties set forth in this subsection;

(e) Provide support in a library or media center;

(f) Except as otherwise provided in subsection 2, provide services as a translator; or

(g) Provide instructional services to pupils under the direct supervision of a licensed teacher.

2. The term "paraprofessional" does not include a person who:

(a) Is proficient in the English language and a language other than English and who provides services as a translator primarily to enhance the participation of children in programs that are financially supported pursuant to the No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq.

(b) Solely conducts parental involvement activities.

Sec. 49. NRS 391.019 is hereby amended to read as follows:

391.019 1. ~~["Except as otherwise provided in NRS 391.027, the Commission:"]~~ *The State Board:*

(a) Shall adopt regulations:

(1) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of those licenses.



(2) Identifying fields of specialization in teaching which require the specialized training of teachers.

(3) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization.

(4) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(5) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being registered with the Office of Disability Services of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting.

(6) Requiring teachers and other educational personnel to be registered with the Office of Disability Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting if they:

(I) Provide instruction or other educational services; and

(II) Concurrently engage in the practice of interpreting, as defined in NRS 656A.060.

(7) Providing for the issuance and renewal of a special qualifications license to an applicant who holds a master's degree or a doctoral degree from an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and who has:

(I) At least 2 years of experience teaching at an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and at least 3 years of experience working in that field; or

(II) At least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.

(8) Requiring an applicant for a special qualifications license to:

(I) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(II) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the master's degree or doctoral degree held by the applicant.

(9) Setting forth the subject areas that may be taught by a person who holds a special qualifications license, based upon the subject area of the master's degree or doctoral degree held by that person.

(10) Providing for the issuance and renewal of a special qualifications license to an applicant who:



* S B 3 3 0 *

(I) Holds a graduate degree from an accredited college or university in the field for which he will be providing instruction;

(II) Is not licensed to teach public school in another state;

(III) Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and

(IV) Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of his employment as a teacher with a school district or charter school.

➤ An applicant for licensure pursuant to this subparagraph is exempt from each examination required by NRS 391.021 if the applicant successfully passed the examination in another state.

(11) If the ~~Commission~~ **State Board** approves the Passport to Teaching certification from the American Board for Certification of Teacher Excellence as an alternative route to licensure, providing for the issuance and renewal of a special qualifications license to an applicant who:

(I) Holds a Passport to Teaching certification from the American Board for Certification of Teacher Excellence;

(II) Passes each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; and

(III) Agrees to participate in a program of mentoring prescribed by the ~~Commission~~ **State Board** for the first year of his employment as a teacher with a school district or charter school.

(b) May adopt such other regulations as it deems necessary for its own government or to carry out its duties.

2. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the ~~Commission~~ **State Board**.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.

3. A person who is licensed pursuant to subparagraph (7), (10) or (11) of paragraph (a) of subsection 1:

(a) Shall comply with all applicable statutes and regulations.

(b) Except as otherwise provided by specific statute, is entitled to all benefits, rights and privileges conferred by statutes and regulations on licensed teachers.



(c) Except as otherwise provided by specific statute, if he is employed as a teacher by the board of trustees of a school district or the governing body of a charter school, is entitled to all benefits, rights and privileges conferred by statutes and regulations on the licensed employees of a school district or charter school, as applicable.

Sec. 50. NRS 391.019 is hereby amended to read as follows:

391.019 1. ~~{Except as otherwise provided in NRS 391.027, the Commission:}~~ **The State Board:**

(a) Shall adopt regulations:

(1) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of those licenses.

(2) Identifying fields of specialization in teaching which require the specialized training of teachers.

(3) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization.

(4) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(5) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being registered with the Office of Disability Services of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting.

(6) Requiring teachers and other educational personnel to be registered with the Office of Disability Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting if they:

(I) Provide instruction or other educational services; and

(II) Concurrently engage in the practice of interpreting, as defined in NRS 656A.060.

(7) Providing for the issuance and renewal of a special qualifications license to an applicant who holds a master's degree or a doctoral degree from an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and who has:

(I) At least 2 years of experience teaching at an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and at least 3 years of experience working in that field; or



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(II) At least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.

(8) Requiring an applicant for a special qualifications license to:

(I) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(II) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the master's degree or doctoral degree held by the applicant.

(9) Setting forth the subject areas that may be taught by a person who holds a special qualifications license, based upon the subject area of the master's degree or doctoral degree held by that person.

(10) Providing for the issuance and renewal of a special qualifications license to an applicant who:

(I) Holds a graduate degree from an accredited college or university in the field for which he will be providing instruction;

(II) Is not licensed to teach public school in another state;

(III) Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and

(IV) Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of his employment as a teacher with a school district or charter school.

➔ An applicant for licensure pursuant to this subparagraph is exempt from each examination required by NRS 391.021 if the applicant successfully passed the examination in another state.

(b) May adopt such other regulations as it deems necessary for its own government or to carry out its duties.

2. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the ~~Commission~~ **State Board**.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.

3. A person who is licensed pursuant to subparagraph (7) or (10) of paragraph (a) of subsection 1:

(a) Shall comply with all applicable statutes and regulations.



(b) Except as otherwise provided by specific statute, is entitled to all benefits, rights and privileges conferred by statutes and regulations on licensed teachers.

(c) Except as otherwise provided by specific statute, if he is employed as a teacher by the board of trustees of a school district or the governing body of a charter school, is entitled to all benefits, rights and privileges conferred by statutes and regulations on the licensed employees of a school district or charter school, as applicable.

Sec. 51. NRS 391.021 is hereby amended to read as follows:

391.021 Except as otherwise provided in subparagraph (10) of paragraph (a) of subsection 1 of NRS 391.019 ~~and NRS 391.027, the Commission~~, *the State Board* shall adopt regulations governing examinations for the initial licensing of teachers and other educational personnel. The examinations must test the ability of the applicant to teach and his knowledge of each specific subject he proposes to teach. Each examination must include the following subjects:

1. The laws of Nevada relating to schools;
2. The Constitution of the State of Nevada; and
3. The Constitution of the United States.

➔ The provisions of this section do not prohibit the ~~Commission~~ *State Board* from adopting regulations pursuant to subsection 2 of NRS 391.032 that provide an exemption from the examinations for teachers and other educational personnel who have previous experience in teaching or performing other educational functions in another state.

Sec. 52. NRS 391.023 is hereby amended to read as follows:

391.023 The ~~Commission~~ *State Board* may adopt regulations which provide relief from the strict application of the terms of its regulations relating to the licensure of teachers and other educational personnel for the resolution of medical or administrative conflicts. The conflicts must be resolved within 6 months after the date the relief is granted.

Sec. 53. NRS 391.031 is hereby amended to read as follows:

391.031 There are the following kinds of licenses for teachers and other educational personnel in this State:

1. A license to teach elementary education, which authorizes the holder to teach in any elementary school in the State.
2. A license to teach middle school or junior high school education, which authorizes the holder to teach in his major or minor field of preparation or in both fields in grades 7, 8 and 9 at any middle school or junior high school. He may teach only in these fields unless an exception is approved pursuant to regulations adopted by the ~~Commission~~ *State Board*.



3. A license to teach secondary education, which authorizes the holder to teach in his major or minor field of preparation or in both fields in any secondary school. He may teach only in these fields unless an exception is approved pursuant to regulations adopted by the ~~{Commission.}~~ **State Board.**

4. A special license, which authorizes the holder to teach or perform other educational functions in a school or program as designated in the license.

5. A special license designated as a special qualifications license, which authorizes the holder to teach only in the grades and subject areas designated in the license. A special qualifications license is valid for 3 years and may be renewed in accordance with the applicable regulations of the ~~{Commission.}~~ **State Board** adopted pursuant to subparagraph (7), (10) or (11) of paragraph (a) of subsection 1 of NRS 391.019.

Sec. 54. NRS 391.031 is hereby amended to read as follows:

391.031 There are the following kinds of licenses for teachers and other educational personnel in this State:

1. A license to teach elementary education, which authorizes the holder to teach in any elementary school in the State.

2. A license to teach middle school or junior high school education, which authorizes the holder to teach in his major or minor field of preparation or in both fields in grades 7, 8 and 9 at any middle school or junior high school. He may teach only in these fields unless an exception is approved pursuant to regulations adopted by the ~~{Commission.}~~ **State Board.**

3. A license to teach secondary education, which authorizes the holder to teach in his major or minor field of preparation or in both fields in any secondary school. He may teach only in these fields unless an exception is approved pursuant to regulations adopted by the ~~{Commission.}~~ **State Board.**

4. A special license, which authorizes the holder to teach or perform other educational functions in a school or program as designated in the license.

5. A special license designated as a special qualifications license, which authorizes the holder to teach only in the grades and subject areas designated in the license. A special qualifications license is valid for 3 years and may be renewed in accordance with the applicable regulations of the ~~{Commission.}~~ **State Board** adopted pursuant to subparagraph (7) or (10) of paragraph (a) of subsection 1 of NRS 391.019.

Sec. 55. NRS 391.032 is hereby amended to read as follows:

391.032 1. ~~{Except as otherwise provided in NRS 391.027, the Commission.}~~ **The State Board** shall:



(a) Consider and may adopt regulations which provide for the issuance of conditional licenses to teachers and other educational personnel before completion of all courses of study or other requirements for a license in this State.

(b) Adopt regulations which provide for the reciprocal licensure of educational personnel from other states.

2. The regulations adopted pursuant to paragraph (b) of subsection 1 may provide an exemption from the examinations required for initial licensure for teachers and other educational personnel who have previous experience in teaching or performing other educational functions in another state. If the ~~[Commission]~~ **State Board** adopts regulations providing such an exemption, the ~~[Commission]~~ **State Board** shall identify the examinations to which the exemption applies.

3. A person who is issued a conditional license must complete all courses of study and other requirements for a license in this State which is not conditional within 3 years after the date on which a conditional license is issued.

Sec. 56. NRS 391.033 is hereby amended to read as follows:

391.033 1. All licenses for teachers and other educational personnel are granted by the **State** Superintendent ~~[of Public Instruction]~~ **for Education** pursuant to regulations adopted by the ~~[Commission]~~ **State Board** and as otherwise provided by law.

2. An application for the issuance of a license must include the social security number of the applicant.

3. Every applicant for a license must submit with his application a complete set of his fingerprints and written permission authorizing the Superintendent to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant.

4. The Superintendent may issue a provisional license pending receipt of the reports of the Federal Bureau of Investigation and the Central Repository for Nevada Records of Criminal History if he determines that the applicant is otherwise qualified.

5. A license must be issued to an applicant if:

(a) The Superintendent determines that the applicant is qualified;

(b) The reports on the criminal history of the applicant from the Federal Bureau of Investigation and the Central Repository for Nevada Records of Criminal History:

(1) Do not indicate that the applicant has been convicted of a felony or any offense involving moral turpitude; or



(2) Indicate that the applicant has been convicted of a felony or an offense involving moral turpitude but the Superintendent determines that the conviction is unrelated to the position within the county school district or charter school for which the applicant applied; and

(c) The applicant submits the statement required pursuant to NRS 391.034.

Sec. 57. NRS 391.038 is hereby amended to read as follows:

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

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

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

(c) An endorsement in a field of specialization.

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

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

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

4. The State Board, in consultation with educational institutions in this State which offer courses of study and training for the education of teachers and other educational personnel, and the Nevada Association of Colleges for Teacher Education and the Nevada Association of Teacher Educators, shall adopt regulations governing the approval by the State Board of courses of study and training which are accredited by the National Council for Accreditation of Teacher Education, and those which are not so accredited.



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

4 **Sec. 58.** NRS 391.160 is hereby amended to read as follows:

5 391.160 1. The salaries of teachers and other employees must
6 be determined by the character of the service required. A school
7 district shall not discriminate between male and female employees
8 in the matter of salary.

9 2. *The board of trustees of each school district shall adjust*
10 *the schedule of salaries of the school district to ensure that the*
11 *starting salary of each licensed teacher who is initially hired by*
12 *the school district on or after July 1, 2010, is at least \$40,000*
13 *annually. For the purposes of this subsection, a person is not*
14 *“initially hired” if he has been employed as a licensed teacher by*
15 *another school district or charter school in this State without an*
16 *interruption in employment before the date of hire by his current*
17 *employer.*

18 3. Each year when determining the salary of a teacher who
19 holds certification issued by the National Board for Professional
20 Teaching Standards, a school district shall add 5 percent to the
21 salary that the teacher would otherwise receive in 1 year for his
22 classification on the schedule of salaries for the school district if:

23 (a) On or before January 31 of the school year, the teacher has
24 submitted evidence satisfactory to the school district of his current
25 certification; and

26 (b) The teacher is assigned by the school district to provide
27 classroom instruction during that school year.

28 ➔ No increase in salary may be given pursuant to this subsection
29 during a particular school year to a teacher who submits evidence of
30 certification after January 31 of that school year. For the first school
31 year that a teacher submits evidence of his current certification, the
32 board of trustees of the school district to whom the evidence was
33 submitted shall pay the increase in salary required by this subsection
34 retroactively to the beginning of that school year. Once a teacher has
35 submitted evidence of such certification to the school district, the
36 school district shall retain the evidence in its records, as applicable,
37 for future school years. An increase in salary given in accordance
38 with this subsection is in addition to any other increase to which the
39 teacher may otherwise be entitled.

40 ~~3.1~~ 4. Each year when determining the salary of a person who
41 is employed by a school district as a speech pathologist, the school
42 district shall add 5 percent to the salary that the employee would
43 otherwise receive in 1 year for his classification on the schedule of
44 salaries for the school district if:



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(a) On or before September 15 of the school year, the employee has submitted evidence satisfactory to the school district of his:

(1) Licensure as a speech pathologist by the Board of Examiners for Audiology and Speech Pathology; and

(2) Certification as being clinically competent in speech-language pathology by:

(I) The American Speech-Language-Hearing Association; or

(II) A successor organization to the American Speech-Language-Hearing Association that is recognized and determined to be acceptable by the Board of Examiners for Audiology and Speech Pathology; and

(b) The employee is assigned by the school district to serve as a speech pathologist during the school year.

➔ No increase in salary may be given pursuant to this subsection during a particular school year to an employee who submits evidence of licensure and certification after September 15 of that school year. Once an employee has submitted evidence of such licensure and certification to the school district, the school district shall retain the evidence in its records, as applicable, for future school years. An increase in salary given in accordance with this subsection is in addition to any other increase to which the employee may otherwise be entitled.

~~14.1~~ 5. Each year when determining the salary of a person who is employed by a school district as a professional school library media specialist, the school district shall add 5 percent to the salary that the employee would otherwise receive in 1 year for his classification on the schedule of salaries of the school district if:

(a) On or before September 15 of the school year, the employee has submitted evidence satisfactory to the school district of his current certification as a professional school library media specialist issued by the National Board for Professional Teaching Standards; and

(b) The employee is assigned by the school district to serve as a professional school library media specialist during that school year.

➔ No increase in salary may be given pursuant to this subsection during a particular school year to an employee who submits evidence of certification after September 15 of that school year. Once an employee has submitted evidence of such certification to the school district, the school district shall retain the evidence in its records, as applicable, for future school years. An increase in salary given in accordance with this subsection is in addition to any other increase to which the employee may otherwise be entitled.

~~15.1~~ 6. In determining the salary of a licensed teacher who is employed by a school district after the teacher has been employed



1 by another school district in this State, the present employer shall,
2 except as otherwise provided in subsection ~~{8-}~~ 9:

3 (a) Give the teacher the same credit for previous teaching
4 service as he was receiving from his former employer at the end of
5 his former employment;

6 (b) Give the teacher credit for his final year of service with his
7 former employer, if credit for that service is not included in credit
8 given pursuant to paragraph (a); and

9 (c) Place the teacher on the schedule of salaries of the school
10 district in a classification that is commensurate with the level of
11 education acquired by the teacher, as set forth in the applicable
12 negotiated agreement with the present employer.

13 ~~{6-}~~ 7. A school district may give the credit required by
14 subsection ~~{5-}~~ 6 for previous teaching service earned in another state
15 if the ~~{Commission}~~ State Board has approved the standards for
16 licensing teachers of that state. The ~~{Commission}~~ State Board shall
17 adopt regulations that establish the criteria by which the
18 ~~{Commission}~~ State Board will consider the standards for licensing
19 teachers of other states for the purposes of this subsection. The
20 criteria may include, without limitation, whether the ~~{Commission}~~
21 State Board has authorized reciprocal licensure of educational
22 personnel from the state under consideration.

23 ~~{7-}~~ 8. In determining the salary of a licensed administrator,
24 other than the superintendent of schools, who is employed by a
25 school district after the administrator has been employed by another
26 school district in this State, the present employer shall, except as
27 otherwise provided in subsection ~~{8-}~~ 9:

28 (a) Give the administrator the same credit for previous
29 administrative service as he was receiving from his former
30 employer, at the end of his former employment;

31 (b) Give the administrator credit for his final year of service
32 with his former employer, if credit for that service is not otherwise
33 included in the credit given pursuant to paragraph (a); and

34 (c) Place the administrator on the schedule of salaries of the
35 school district in a classification that is comparable to the
36 classification the administrator had attained on the schedule of
37 salaries of his former employer.

38 ~~{8-}~~ 9. This section does not:

39 (a) Require a school district to allow a teacher or administrator
40 more credit for previous teaching or administrative service than the
41 maximum credit for teaching or administrative experience provided
42 for in the schedule of salaries established by it for its licensed
43 personnel.

44 (b) Permit a school district to deny a teacher or administrator
45 credit for his previous teaching or administrative service on the



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ground that the service differs in kind from the teaching or administrative experience for which credit is otherwise given by the school district.

~~9-1~~ **10.** As used in this section:

(a) "Previous administrative service" means the total of:

(1) Any period of administrative service for which an administrator received credit from his former employer at the beginning of his former employment; and

(2) His period of administrative service in his former employment.

(b) "Previous teaching service" means the total of:

(1) Any period of teaching service for which a teacher received credit from his former employer at the beginning of his former employment; and

(2) His period of teaching service in his former employment.

Sec. 59. NRS 391.504 is hereby amended to read as follows:

391.504 ~~["Regional"]~~ *As used in NRS 391.504 to 391.556, inclusive, unless the context otherwise requires, "regional training program" means a regional training program for the professional development of teachers and administrators created pursuant to NRS 391.512.*

Sec. 60. NRS 391.520 is hereby amended to read as follows:

391.520 1. The ~~Statewide Council shall meet not less than four times per year.~~

~~2. The Statewide Council shall:~~

~~(a) Adopt~~ *State Board, in consultation with the Division of Innovation, Research and Professional Development of the Department, shall adopt* uniform standards for use by the governing body of each regional training program in the review and approval by the governing body of the training to be provided by the regional training program pursuant to NRS 391.540 and 391.544. The standards must ensure that the training provided by the regional training programs includes activities set forth in 20 U.S.C. § 7801(34), as appropriate for the type of training offered, is of high quality and is effective in addressing the training programs specified in subsection 1 of NRS 391.544.

~~(b)~~ *2. The Division of Innovation, Research and Professional Development shall:*

(a) Coordinate the dissemination of information to school districts, administrators and teachers concerning the training, programs and services provided by the regional training programs.

~~(c)~~ *(b) Disseminate information to the regional training programs concerning innovative and effective methods to provide professional development.*



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1 ~~[(d)]~~ (c) Conduct long-range planning concerning the
2 professional development needs of teachers and administrators
3 employed in this state.

4 ~~[(e)]~~ (d) Adopt uniform procedures for use by the governing
5 body of each regional training program to report the evaluation
6 conducted pursuant to NRS 391.552.

7 3. The ~~{Statewide Council}~~ *Division of Innovation, Research*
8 *and Professional Development* may:

9 (a) Accept gifts and grants from any source for use by the
10 ~~{Statewide Council}~~ *Division* in carrying out its duties pursuant to
11 this section and accept gifts and grants from any source on behalf of
12 one or more regional training programs to assist with the training
13 provided pursuant to NRS 391.544; and

14 (b) Comply with applicable federal laws and regulations
15 governing the provision of federal grants to assist the ~~{Statewide~~
16 ~~Council}~~ *Division* in carrying out its duties pursuant to this section
17 and comply with applicable federal laws and regulations governing
18 the provision of federal grants to assist with the training provided
19 pursuant to NRS 391.544, including, without limitation, providing
20 money from the budget of the ~~{Statewide Council}~~ *Division* to
21 match the money received from a federal grant.

22 4. *The State Board may appoint an advisory committee*
23 *composed of six members who are qualified and who represent the*
24 *regional training programs and educational personnel to advise*
25 *the State Board and the Division of Innovation, Research and*
26 *Professional Development in carrying out the provisions of NRS*
27 *391.504 to 391.556, inclusive. The advisory committee serves at*
28 *the pleasure of the State Board and without compensation unless*
29 *an appropriation or other money for that purpose is provided by*
30 *the Legislature.*

31 **Sec. 61.** NRS 391.532 is hereby amended to read as follows:

32 391.532 1. The governing body of each regional training
33 program shall:

34 (a) Employ or otherwise contract with a coordinator of the
35 program, who serves at the pleasure of the governing body.

36 (b) Set the salary or other compensation of the coordinator.

37 2. The coordinator of each regional training program shall:

38 (a) ~~{Serve on the Statewide Council};~~

39 ~~—(b)}~~ Assist in the evaluation of the regional training program, as
40 directed by the governing body; and

41 ~~[(e)]~~ (b) Perform such other duties as directed by the governing
42 body.

43 **Sec. 62.** NRS 391.544 is hereby amended to read as follows:

44 391.544 1. Based upon the assessment of needs for training
45 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~~ State Board 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}~~ **State Board** 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. 63. 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}~~ **Division of Innovation, Research and Professional Development of the Department** 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 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}~~ *Division of Innovation, Research and Professional Development* 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.

Sec. 64. NRS 391.556 is hereby amended to read as follows:

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

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

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

Sec. 65. NRS 396.5195 is hereby amended to read as follows:

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

Sec. 66. NRS 400.035 is hereby amended to read as follows:

400.035 1. The Council shall meet at least once each calendar quarter and as frequently as necessary to afford the general public, representatives of governmental agencies and representatives of organizations an opportunity to present information and recommendations relating to the coordination between elementary, secondary and postsecondary education, including, without limitation, the Nevada Youth Legislative Issues Forum created by NRS 385.515. ~~{and the Advisory Council on Parental Involvement established by NRS 385.610.}~~

2. The Council shall comply with the provisions of chapter 241 of NRS.



3. For each day or portion of a day during which the members of the Council attend a meeting of the Council or are otherwise engaged in the business of the Council:

(a) The members who are Legislators are entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207, payable from the Legislative Fund.

(b) The members who are appointed by the Majority Leader of the Senate, the Speaker of the Assembly, the Minority Leader of the Senate and the Minority Leader of the Assembly who are not Legislators are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally, payable from the Legislative Fund.

(c) The members who are appointed by the Governor are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally, payable as other claims against the State are paid.

4. The Office of the Governor shall provide:

(a) Administrative support;

(b) Equipment; and

(c) Office space,

as is necessary for the Council to carry out its duties.

5. The Board of Regents of the University of Nevada and the Department shall provide technical assistance to the Council upon the request of the Chairman.

Sec. 67. NRS 218.5354 is hereby amended to read as follows:

218.5354 1. The Committee may:

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

(1) Programs to enhance accountability in education;

(2) Legislative measures regarding education;

(3) The progress made by this State, the school districts and the public schools in this State in satisfying the goals and objectives of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., ~~and~~ the annual measurable objectives established by the State Board of Education pursuant to NRS 385.361 ~~H~~, *the defined goals and benchmarks and the measurable outcomes established by the State Board of Education pursuant to section 9 of this act;*

(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 to the ~~the [Commission on Educational Excellence created by NRS 385.3784]~~ **State Board of Education** programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

Sec. 68. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The Governor.

(b) The Department of Corrections.

(c) The Nevada System of Higher Education.

(d) The Office of the Military.

(e) The State Gaming Control Board.

(f) Except as otherwise provided in NRS 368A.140, the Nevada Gaming Commission.



* S B 3 3 0 *

(g) The Division of Welfare and Supportive Services of the Department of Health and Human Services.

(h) The Division of Health Care Financing and Policy of the Department of Health and Human Services.

(i) The State Board of Examiners acting pursuant to chapter 217 of NRS.

(j) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.

(k) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.

(l) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and adjusting the schedule of fees and charges for accident benefits pursuant to subsection 2 of NRS 616C.260.

(m) The Board to Review Claims in adopting resolutions to carry out its duties pursuant to NRS 590.830.

2. Except as otherwise provided in subsection 5 and NRS 391.323, the Department of Education ~~and the Board of the Public Employees' Benefits Program~~ ~~and the Commission on Professional Standards in Education~~ are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

(a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the Employment Security Division of the Department of Employment, Training and Rehabilitation;

(b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;

(c) Chapter 703 of NRS for the judicial review of decisions of the Public Utilities Commission of Nevada;

(d) Chapter 91 of NRS for the judicial review of decisions of the Administrator of the Securities Division of the Office of the Secretary of State; and

(e) NRS 90.800 for the use of summary orders in contested cases,

➤ prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the Department of Health and Human Services in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested



1 animals, objects or premises, made under the authority of the State
2 Board of Agriculture, the State Board of Health, or any other agency
3 of this State in the discharge of a responsibility for the preservation
4 of human or animal health or for insect or pest control;

5 (b) An extraordinary regulation of the State Board of Pharmacy
6 adopted pursuant to NRS 453.2184; or

7 (c) A regulation adopted by the State Board of Education
8 pursuant to NRS 392.644 or 394.1694.

9 6. The State Board of Parole Commissioners is subject to the
10 provisions of this chapter for the purpose of adopting regulations but
11 not with respect to any contested case.

12 **Sec. 69.** NRS 385.017, 385.0175, 385.018, 385.019, 385.0225,
13 385.023, 385.0235, 385.024, 385.0245, 385.025, 385.0255,
14 385.0257, 385.026, 385.0265, 385.3781, 385.3783, 385.3784,
15 388.780, 388.785, 388.790, 389.500, 389.510, 391.002, 391.005,
16 391.011, 391.013, 391.015, 391.017, 391.027, 391.029, 391.500,
17 391.508 and 391.516 are hereby repealed.

18 **Sec. 70.** 1. There is hereby created a Commission to Oversee
19 Educational Reform, consisting of 6 members as follows:

20 (a) Two members appointed by the Governor to terms which
21 commence on July 1, 2009, and expire on June 30, 2011.

22 (b) Two members appointed by the Majority Leader of the
23 Senate to terms which commence on July 1, 2009, and expire on
24 June 30, 2011.

25 (c) Two members appointed by the Speaker of the Assembly to
26 terms which commence on July 1, 2009, and expire on June 30,
27 2011.

28 2. At its first meeting, the members of the Commission to
29 Oversee Educational Reform shall elect a Chair from among its
30 members. The Commission shall meet at the call of the Chair or a
31 majority of the Commission.

32 3. A vacancy on the Commission to Oversee Educational
33 Reform must be filled in the same manner as the original
34 appointment.

35 4. The Commission to Oversee Educational Reform shall:

36 (a) Monitor the State Board of Education and the Department of
37 Education in carrying out the amendatory provisions of this act.

38 (b) Review the implementation of the amendatory provisions of
39 this act.

40 (c) On or before July 1, 2010, submit to the Legislative
41 Committee on Education a preliminary report concerning the
42 progress of the changes and reformations of the State Board of
43 Education, the Department of Education and the system of public
44 education in this State generally, including an analysis of the
45 effectiveness of the changes and reformations.



(d) On or before February 1, 2011, submit to the Director of the Legislative Counsel Bureau for transmission to the 76th Session of the Nevada Legislature a report concerning the changes and reformations of the State Board of Education, the Department of Education and the system of public education in this State generally, including an analysis of the effectiveness of the changes and reformations. The report may include any recommendations for legislation proposed by the Commission to Oversee Educational Reform.

5. The State Board of Education and the Department of Education shall work cooperatively with the Commission to Oversee Educational Reform.

6. The members of the Commission to Oversee Educational Reform shall serve without compensation.

7. The Legislative Counsel Bureau shall provide administrative support at the request of the Commission to Oversee Educational Reform.

Sec. 71. 1. The terms of all members of the State Board of Education who are incumbent on December 31, 2010, expire on that date.

2. On or before January 1, 2011:

(a) The Governor shall appoint one member who meets the qualifications set forth in paragraph (b) of subsection 2 of NRS 385.021, as amended by section 8 of this act, to a term which commences on January 1, 2011, and expires on December 31, 2013.

(b) The Majority Leader of the Senate shall appoint one member who meets the qualifications set forth in paragraph (b) of subsection 2 of NRS 385.021, as amended by section 8 of this act, to a term which commences on January 1, 2011, and expires on December 31, 2015.

(c) The Speaker of the Assembly shall appoint one member who meets the qualifications set forth in paragraph (b) of subsection 2 of NRS 385.021, as amended by section 8 of this act, to a term which commences on January 1, 2011, and expires on December 31, 2013.

(d) The Board of Regents of the University of Nevada may appoint one member who meets the qualifications set forth in paragraph (c) of subsection 2 of NRS 385.021, as amended by section 8 of this act, to a term which commences on January 1, 2011, and expires on December 31, 2015.

3. The member who is elected who is a resident of:

(a) Congressional District 1, as described in NRS 304.100, serves an initial term of 2 years and serves a term of 4 years thereafter.

(b) Congressional District 2, as described in NRS 304.110, serves a term of 4 years.



(c) Congressional District 3, as described in NRS 304.120, serves a term of 4 years.

Sec. 72. 1. The terms of all members of the Commission on Educational Excellence who are incumbent on June 30, 2009, expire on that date.

2. The terms of all members of the Commission on Educational Technology who are incumbent on June 30, 2009, expire on that date.

3. The terms of all members of the Council to Establish Academic Standards for Public Schools who are incumbent on June 30, 2009, expire on that date.

4. The terms of all members of the Commission on Professional Standards in Education who are incumbent on June 30, 2009, expire on that date.

5. The terms of all members of the Statewide Council for the Coordination of the Regional Training Programs who are incumbent on June 30, 2009, expire on that date.

Sec. 73. 1. The term of the Superintendent of Public Instruction who was appointed pursuant to NRS 385.150 before the effective date of this act continues to serve for the remainder of that unexpired term. Upon expiration of the term or if a vacancy occurs before the expiration of that term, the Governor shall nominate and the Legislative Commission may confirm a State Superintendent for Education in accordance with NRS 385.150, as amended by section 11 of this act, for a term which expires on June 30, 2010.

2. Commencing on February 1, 2011, the Governor shall nominate, and the Senate may confirm in accordance with NRS 385.150, as amended by section 11 of this act, a State Superintendent for Education for a term which commences on July 1, 2011.

Sec. 74. 1. The Legislative Counsel shall, in preparing the:

(a) Reprint and supplement to the Nevada Revised Statutes with respect to any section which is not amended by this act or is adopted or amended by another act, appropriately change any reference to an officer, agency or other entity whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or entity. If any internal reference is made to a section repealed by this act, the Legislative Counsel shall delete the reference and replace it by reference to the superseding section, if any.

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



* S B 3 3 0 *

2. Any references in a bill or resolution passed by the 75th 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.

Sec. 75. 1. Any policies adopted by the Commission on Educational Excellence pursuant to NRS 385.3781 to 385.379, inclusive, before July 1, 2009:

(a) Remain in effect and may be enforced as if adopted by the State Board of Education in accordance with the provisions of this act; and

(b) May be amended or repealed by the State Board of Education in accordance with the provisions of this act.

2. Any regulations or policies adopted by the Department of Education, in consultation with the Commission on Educational Technology, pursuant to NRS 388.780 to 388.805, inclusive, before July 1, 2009:

(a) Remain in effect and may be enforced as if adopted by the State Board of Education in accordance with the provisions of this act; and

(b) May be amended or repealed by the State Board of Education in accordance with the provisions of this act.

3. Any regulations or policies adopted by the Commission on Professional Standards in Education pursuant to chapter 391 of NRS before July 1, 2009:

(a) Remain in effect and may be enforced as if adopted by the State Board of Education in accordance with the provisions of this act; and

(b) May be amended or repealed by the State Board of Education in accordance with the provisions of this act.

4. Any policies adopted by the Statewide Council for the Coordination of the Regional Training Programs pursuant to NRS 391.500 to 391.556, inclusive, before July 1, 2009:

(a) Remain in effect and may be enforced as if adopted by the State Board of Education in accordance with the provisions of this act; and

(b) May be amended or repealed by the State Board of Education in accordance with the provisions of this act.

Sec. 76. On or before July 1, 2009, the State Board of Education shall appoint members to the:

1. Advisory committee authorized pursuant to NRS 385.3785, as amended by section 23 of this act. Persons appointed by the State Board may be persons who served on the Commission on Educational Excellence as it existed before the effective date of this



1 act. The term of each member appointed pursuant to this subsection
2 expires on June 30, 2011, unless the State Board decides to
3 reappoint the member.

4 2. Advisory committee authorized pursuant to NRS 388.795, as
5 amended by section 31 of this act. Persons appointed by the State
6 Board may be persons who served on the Commission on
7 Educational Technology as it existed before the effective date of this
8 act. The term of each member appointed pursuant to this subsection
9 expires on June 30, 2011, unless the State Board decides to
10 reappoint the member.

11 3. Advisory committee authorized pursuant to NRS 389.530, as
12 amended by section 38 of this act. Persons appointed by the State
13 Board may be persons who served on the Council to Establish
14 Academic Standards for Public Schools as it existed before the
15 effective date of this act. The term of each member appointed
16 pursuant to this subsection expires on June 30, 2011, unless the
17 State Board decides to reappoint the member.

18 4. Advisory committee authorized pursuant to section 46 of
19 this act. Persons appointed by the State Board may be persons who
20 served on the Commission on Professional Standards in Education
21 as it existed before the effective date of this act. The term of each
22 member appointed pursuant to this subsection expires on June 30,
23 2011, unless the State Board decides to reappoint the member.

24 5. Advisory committee authorized pursuant to NRS 391.520, as
25 amended by section 60 of this act. Persons appointed by the State
26 Board may be persons who served on the Statewide Council for the
27 Coordination of the Regional Training Programs as it existed before
28 the effective date of this act. The term of each member appointed
29 pursuant to this subsection expires on June 30, 2011, unless the
30 State Board decides to reappoint the member.

31 **Sec. 77.** Any contract entered into by the Commission on
32 Educational Excellence, Commission on Educational Technology,
33 Council to Establish Academic Standards for Public Schools,
34 Commission on Professional Standards in Education or Statewide
35 Council for the Coordination of the Regional Training Programs
36 before July 1, 2009, remains in effect and may be administered and
37 enforced by the State Board of Education.

38 **Sec. 78.** 1. The Department of Personnel shall, upon the
39 request of an employee of the Department of Education or the State
40 Board of Education whose employment is terminated as a result of
41 this act, place the employee on an appropriate reemployment list
42 maintained by the Department of Personnel and allow a preference
43 for each of those employees on that list. The Department of
44 Personnel shall maintain each such employee on the reemployment
45 list until October 1, 2011, or until the employee is reemployed by



* S B 3 3 0 *

1 the Executive Branch of State Government, whichever occurs
2 earlier.

3 2. The provisions of this section apply regardless of whether
4 the employee was in the classified, unclassified or nonclassified
5 service of the State of Nevada.

6 **Sec. 79.** 1. This section and sections 70, 72 and 76 of this act
7 become effective on passage and approval for purposes of:

8 (a) Expiring terms pursuant to section 72 of this act; and

9 (b) Making appointments pursuant to sections 70 and 76 of this
10 act,

11 ➤ and on July 1, 2009, for all other purposes.

12 2. Sections 8 and 71 of this act become effective upon passage
13 and approval for purposes of electing members from each of the
14 congressional districts in the 2010 general election and expiring the
15 terms of the incumbent members of the State Board of Education
16 pursuant to section 71 of this act, and on January 1, 2011, for all
17 other purposes.

18 3. Sections 1 to 7, inclusive, 9 to 49, inclusive, 51, 52, 53, 55 to
19 69, inclusive, 73, 74, 75, 77 and 78 of this act become effective on
20 July 1, 2009.

21 4. Sections 50 and 54 of this act become effective on July 1,
22 2011.

23 5. Section 56 of this act expires by limitation on the date on
24 which the provisions of 42 U.S.C. § 666 requiring each state to
25 establish procedures under which the state has authority to withhold
26 or suspend, or to restrict the use of professional, occupational and
27 recreational licenses of persons who:

28 (a) Have failed to comply with a subpoena or warrant relating to
29 a proceeding to determine the paternity of a child or to establish or
30 enforce an obligation for the support of a child; or

31 (b) Are in arrears in the payment for the support of one or more
32 children,

33 ➤ are repealed by the Congress of the United States.

LEADLINES OF REPEALED SECTIONS

385.017 Definitions.

**385.0175 Maps of districts: Duties of Director of Legislative
Counsel Bureau.**

385.018 Maps of districts: Duties of Secretary of State.

385.019 Attachment of omitted area to appropriate district.

385.0225 District 1.



* S B 3 3 0 *

- 385.023 District 2.
- 385.0235 District 3.
- 385.024 District 4.
- 385.0245 District 5.
- 385.025 District 6.
- 385.0255 District 7.
- 385.0257 District 8.
- 385.026 District 9.
- 385.0265 District 10.
- 385.3781 Definitions.
- 385.3783 “Commission” defined.
- 385.3784 Commission: Creation; membership; terms; meetings; compensation of members; duty of Department to provide administrative support; involvement of the Legislative Counsel Bureau in activities of Commission.
- 388.780 Definitions.
- 388.785 “Commission” defined.
- 388.790 Commission on Educational Technology: Creation; membership; terms; removal and vacancy; quarterly meetings required; compensation.
- 389.500 “Council” defined.
- 389.510 Council to Establish Academic Standards: Creation; membership; terms; compensation.
- 391.002 Definitions.
- 391.005 “Commission” defined.
- 391.011 Creation; membership.
- 391.013 Limitation on terms of certain members.
- 391.015 Officers.
- 391.017 Meetings; quorum; travel expenses and subsistence allowances.
- 391.027 Approval or disapproval of Commission’s regulations by State Board of Education.
- 391.029 Provision of personnel; location of offices.
- 391.500 Definitions.
- 391.508 “Statewide Council” defined.
- 391.516 Statewide Council for the Coordination of the Regional Training Programs: Creation; membership; terms; compensation; administrative support authorized.

