

SENATE BILL NO. 389—COMMITTEE ON HEALTH AND EDUCATION

MARCH 23, 2009

Referred to Committee on Health and Education

SUMMARY—Revises provisions governing accountability in public schools. (BDR 34-807)

FISCAL NOTE: Effect on Local Government: No.
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 governing public schools that are designated as demonstrating need for improvement; revising other provisions related to the accountability of public schools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a "Title I school" is a public school that receives money pursuant to the No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and is obligated to comply with the provisions of that federal law. (NRS 385.3746) Existing law requires each public school to be designated annually as demonstrating exemplary achievement, high achievement, adequate achievement or need for improvement. (NRS 385.3263, 385.3266) Under existing law, if a school is designated as demonstrating need for improvement for 2 or more consecutive years, increasingly progressive actions must be taken to improve the achievement of pupils enrolled at the school. (NRS 385.3455-385.391)

Under existing law, if a school is designated as demonstrating need for improvement for 3 or more consecutive years, a support team must be established for the school. (NRS 385.3721, 385.3745) This bill eliminates the requirement for the Department of Education to establish a support team for a school, and **section 6** of this bill authorizes the Department, if deemed necessary, to establish a support team for such a school. (NRS 385.361)

Section 10 of this bill requires the board of trustees of a school district or the governing body of a charter school to conduct a comprehensive audit for a school that is designated as demonstrating need for improvement for 3 consecutive years, including an audit of the curriculum implemented at the school. (NRS 385.3721)

Section 16 of this bill eliminates the requirement that the Department develop and carry out a new curriculum for certain schools that have demonstrated need for improvement for 3 consecutive years. (NRS 385.3744)



Section 18 of this bill requires the development of a turnaround plan for each school that is not a Title I school that has demonstrated need for improvement for 4 consecutive years. (NRS 385.3745)

Section 19 of this bill maintains the requirement that a restructuring plan must be developed if a Title I school has demonstrated need for improvement for 4 consecutive years and prescribes the requirements for such plans. (NRS 385.3746)

Sections 2 and 3 of this bill require the implementation of the turnaround plan for each school that is not a Title I school if the school demonstrates need for improvement 5 or more consecutive years and requires the Department to monitor the implementation of that plan.

Section 3.5 of this bill requires the implementation of a restructuring plan for each Title I school if the school demonstrates need for improvement for 5 or more consecutive years.

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

Section 1. Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 3.5 of this act.

Sec. 2. 1. *If a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:*

(a) The board of trustees of the school district shall:

(1) Except as otherwise provided in subsection 3 of section 3 of this act, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and implement the turnaround plan to improve the academic achievement of pupils enrolled in the school developed pursuant to NRS 385.3745;

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The State Board shall prescribe by regulation the actions which the Department may take to monitor the implementation of any corrective action at the school.

2. *If a charter school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:*

(a) The governing body of the charter school shall:

(1) Except as otherwise provided in subsection 3 of section 3 of this act, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and implement the



1 *turnaround plan to improve the academic achievement of pupils*
2 *enrolled in the school developed pursuant to NRS 385.3745.*

3 (2) *Provide notice of the designation to the parents and*
4 *guardians of pupils enrolled in the charter school on a form*
5 *prescribed by the Department pursuant to NRS 385.382.*

6 (b) *For a charter school sponsored by the board of trustees of*
7 *a school district, the board of trustees shall, in conjunction with*
8 *the governing body of the charter school, ensure that the charter*
9 *school receives technical assistance in the manner set forth in 20*
10 *U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.*

11 (c) *For a charter school sponsored by the State Board or by a*
12 *college or university within the Nevada System of Higher*
13 *Education, the Department shall, in conjunction with the*
14 *governing body of the charter school, ensure that the charter*
15 *school receives technical assistance in the manner set forth in 20*
16 *U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.*

17 (d) *The State Board shall prescribe by regulation the actions*
18 *which the Department may take to monitor the implementation of*
19 *any corrective action at the charter school.*

20 **Sec. 3. 1.** *Except as otherwise provided in subsection 3, if a*
21 *public school that is not a Title I school is designated as*
22 *demonstrating need for improvement pursuant to NRS 385.3623*
23 *for 5 or more consecutive years for failure to make adequate*
24 *yearly progress:*

25 (a) *The Department may, for a charter school sponsored by the*
26 *State Board or by a college or university within the Nevada System*
27 *of Higher Education, take corrective action as set forth in NRS*
28 *385.3744 or proceed with consequences or sanctions, or both, as*
29 *prescribed by the State Board pursuant to NRS 385.361.*

30 (b) *The board of trustees of a school district may, for a school*
31 *of the school district or a charter school sponsored by the board of*
32 *trustees, take corrective action as set forth in NRS 385.3744 or*
33 *proceed with consequences or sanctions, or both, as prescribed by*
34 *the State Board pursuant to NRS 385.361.*

35 2. *The Department shall monitor the implementation of the*
36 *turnaround plan for the school developed pursuant to*
37 *NRS 385.3745.*

38 3. *The Department or the board of trustees of a school*
39 *district, as applicable, shall grant a delay from the imposition of*
40 *corrective action, consequences or sanctions pursuant to this*
41 *section for a school, including, without limitation, the*
42 *development and implementation of a turnaround plan, for a*
43 *period not to exceed 1 year if the school qualifies for a delay in the*
44 *manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails*
45 *to make adequate yearly progress during the period of the delay,*



1 *the Department or the board of trustees, as applicable, may*
2 *proceed with corrective action or with consequences or sanctions,*
3 *or both, for the school, as appropriate, as if the delay never*
4 *occurred.*

5 *4. Before the board of trustees or the Department proceeds*
6 *with consequences or sanctions, the board of trustees or the*
7 *Department, as applicable, shall provide to the administrators,*
8 *teachers and other educational personnel employed at that school,*
9 *and parents and guardians of pupils enrolled in the school:*

10 *(a) Notice that the board of trustees or the Department, as*
11 *applicable, will proceed with consequences or sanctions for the*
12 *school;*

13 *(b) An opportunity to comment before the consequences or*
14 *sanctions are carried out; and*

15 *(c) An opportunity to participate in the development of the*
16 *consequences or sanctions.*

17 **Sec. 3.5. 1. If a Title I school is designated as**
18 **demonstrating need for improvement pursuant to NRS 385.3623**
19 **for 5 or more consecutive years:**

20 *(a) Except as otherwise provided in paragraph (b), the board*
21 *of trustees of the school district shall:*

22 *(1) Except as otherwise provided in subsection 2, repeal the*
23 *plan to improve the academic achievement of pupils developed*
24 *pursuant to NRS 385.357 and implement the plan for*
25 *restructuring the school developed pursuant to NRS 385.3746 if*
26 *required by 20 U.S.C. § 6316(b)(8) and the regulations adopted*
27 *pursuant thereto;*

28 *(2) Provide notice of the designation to the parents and*
29 *guardians of pupils enrolled in the school on the form prescribed*
30 *by the Department pursuant to NRS 385.382;*

31 *(3) Ensure that the school receives technical assistance in*
32 *the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations*
33 *adopted pursuant thereto;*

34 *(4) Provide school choice to the parents and guardians of*
35 *pupils enrolled in the school in accordance with 20 U.S.C. §*
36 *6316(b)(1) and the regulations adopted pursuant thereto; and*

37 *(5) Provide supplemental educational services in*
38 *accordance with 20 U.S.C. § 6316(e) and the regulations adopted*
39 *pursuant thereto from a provider approved pursuant to NRS*
40 *385.384, unless a waiver is granted pursuant to that provision of*
41 *federal law.*

42 *(b) If the school is a charter school:*

43 *(1) Sponsored by the board of trustees of a school district,*
44 *the board of trustees shall:*



* S B 3 8 9 R 1 *

1 (I) Except as otherwise provided in subsection 3, repeal
2 the plan to improve the academic achievement of pupils developed
3 pursuant to NRS 385.357 and implement the plan for
4 restructuring the charter school developed pursuant to NRS
5 385.3746 if required by 20 U.S.C § 6316(b)(8) and the regulations
6 adopted pursuant thereto;

7 (II) Provide notice of the designation to the parents and
8 guardians of pupils enrolled in the charter school on the form
9 prescribed by the Department pursuant to NRS 385.382;

10 (III) Ensure that the charter school receives technical
11 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and
12 the regulations adopted pursuant thereto; and

13 (IV) Provide school choice to the parents and guardians
14 of pupils enrolled in the charter school in accordance with 20
15 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

16 (2) Sponsored by the State Board or by a college or
17 university within the Nevada System of Higher Education, the
18 Department shall:

19 (I) Except as otherwise provided in subsection 3, repeal
20 the plan to improve the academic achievement of pupils developed
21 pursuant to NRS 385.357 and implement the plan for
22 restructuring the charter school developed pursuant to NRS
23 385.3746 if required by 20 U.S.C § 6316(b)(8) and the regulations
24 adopted pursuant thereto;

25 (II) Provide notice of the designation to the parents and
26 guardians of pupils enrolled in the charter school on the form
27 prescribed by the Department pursuant to NRS 385.382;

28 (III) Ensure that the charter school receives technical
29 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and
30 the regulations adopted pursuant thereto; and

31 (IV) Work cooperatively with the board of trustees of the
32 school district in which the charter school is located to provide
33 school choice to the parents and guardians of pupils enrolled in
34 the school in accordance with 20 U.S.C. § 6316(b)(1) and the
35 regulations adopted pursuant thereto.

36 (3) Regardless of the sponsor, the governing body of the
37 charter school shall provide supplemental educational services in
38 accordance with 20 U.S.C. § 6316(e) and the regulations adopted
39 pursuant thereto from a provider approved pursuant to NRS
40 385.384, unless a waiver is granted pursuant to that provision of
41 federal law.

42 (c) The State Board shall prescribe by regulation the actions
43 which the Department may take to monitor the implementation of
44 any corrective action at the school or charter school.



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2. *The board of trustees of a school district shall grant a delay from the imposition of a plan for restructuring for a school, including, without limitation, the development and implementation of a plan for restructuring, for a period not to exceed 1 year if the school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of delay, the board of trustees shall proceed with a plan for restructuring the school as if the delay never occurred.*

3. *The sponsor of a charter school shall grant a delay from the imposition of a plan for restructuring for a school, including, without limitation, the development and implementation of a plan for restructuring, for a period not to exceed 1 year if the school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the charter school fails to make adequate yearly progress during the period of delay, the Department shall proceed with a plan for restructuring the charter school as if the delay never occurred.*

4. *Before the board of trustees of a school district or the Department proceeds with a plan for restructuring, the board of trustees or the Department, as applicable, shall provide to the administrators, teachers and other educational personnel employed at that school, and parents and guardians of pupils enrolled in the school:*

(a) Notice that the board of trustees or the Department, as applicable, will develop a plan for restructuring the school;

(b) An opportunity to comment before the plan to restructure is developed; and

(c) An opportunity to participate in the development of the plan to restructure.

Sec. 4. NRS 385.3455 is hereby amended to read as follows:

385.3455 As used in NRS 385.3455 to 385.391, inclusive, *and sections 2, 3 and 3.5 of this act*, unless the context otherwise requires, the words and terms defined in NRS 385.346 to 385.34675, inclusive, have the meanings ascribed to them in those sections.

Sec. 5. NRS 385.3468 is hereby amended to read as follows:

385.3468 The provisions of NRS 385.3455 to 385.391, inclusive, *and sections 2, 3 and 3.5 of this act* do not supersede, negate or otherwise limit the effect or application of the provisions of chapters 288 and 391 of NRS or the rights, remedies and procedures afforded to employees of a school district under the terms of collective bargaining agreements, memoranda of understanding or other such agreements between employees and their employers.



* S B 3 8 9 R 1 *

Sec. 5.5. NRS 385.357 is hereby amended to read as follows:

385.357 1. ~~[The]~~ *Except as otherwise provided in sections 2 and 3.5 of this act, the* principal of each school, including, without limitation, each charter school, shall, in consultation with the employees of the school, prepare a plan to improve the achievement of the pupils enrolled in the school.

2. The plan developed pursuant to subsection 1 must include:

(a) A review and analysis of the data pertaining to the school upon which the report required pursuant to subsection 2 of NRS 385.347 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

(b) The identification of any problems or factors at the school that are revealed by the review and analysis.

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

(d) Policies and practices concerning the core academic subjects which have the greatest likelihood of ensuring that each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school will make adequate yearly progress and meet the minimum level of proficiency prescribed by the State Board.

(e) Annual measurable objectives, consistent with the annual measurable objectives established by the State Board pursuant to NRS 385.361, for the continuous and substantial progress by each group of pupils identified in paragraph (b) of subsection 1 of that section who are enrolled in the school to ensure that each group will make adequate yearly progress and meet the level of proficiency prescribed by the State Board.

(f) Strategies, consistent with the policy adopted pursuant to NRS 392.457 by the board of trustees of the school district in which the school is located, to promote effective involvement by parents and families of pupils enrolled in the school in the education of their children.

(g) As appropriate, programs of remedial education or tutoring to be offered before and after school, during the summer, or between sessions if the school operates on a year-round calendar for pupils enrolled in the school who need additional instructional time to pass or to reach a level considered proficient.

(h) Strategies to improve the academic achievement of pupils enrolled in the school, including, without limitation, strategies to:

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

(I) The curriculum appropriate to improve achievement;



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

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

(2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;

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

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed at the school to include the activities set forth in 20 U.S.C. § 7801(34) and to address the specific needs of pupils enrolled in the school, as deemed appropriate by the principal.

(i) An identification, by category, of the employees of the school who are responsible for ensuring that the plan is carried out effectively.

(j) In consultation with the school district or governing body, as applicable, an identification, by category, of the employees of the school district or governing body, if any, who are responsible for ensuring that the plan is carried out effectively or for overseeing and monitoring whether the plan is carried out effectively.

(k) In consultation with the Department, an identification, by category, of the employees of the Department, if any, who are responsible for overseeing and monitoring whether the plan is carried out effectively.

(l) 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.

(m) 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 and reducing the number of pupils who drop out of school.

(n) The resources available to the school to carry out the plan. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school shall use the financial analysis program used by the school district in which the school is located in complying with this paragraph.



* S B 3 8 9 R 1 *

(o) A summary of the effectiveness of appropriations made by the Legislature that are available to the school to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

(p) A budget of the overall cost for carrying out the plan.

3. In addition to the requirements of subsection 2, if a school has been designated as demonstrating need for improvement pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto.

4. Except as otherwise provided in subsection 5, the principal of each school shall, in consultation with the employees of the school:

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

(b) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that the plan is designed to improve the academic achievement of pupils enrolled in the school.

5. If a school has been designated as demonstrating need for improvement pursuant to NRS 385.3623 and a support team has been established for the school, the support team shall review the plan and make revisions to the most recent plan for improvement of the school pursuant to NRS 385.3741. If the school is a Title I school that has been designated as demonstrating need for improvement, the support team established for the school shall, in making revisions to the plan, work in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity responsible for creating the support team, outside experts.

6. On or before November 1 of each year, the principal of each school or the support team established for the school, as applicable, shall submit the plan or the revised plan, as applicable, to:

(a) If the school is a public school of the school district, the superintendent of schools of the school district.

(b) If the school is a charter school, the governing body of the charter school.

7. If a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623, the superintendent of schools of the school district or the governing body, as applicable, shall carry out a process for peer review of the plan or the revised plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days after receipt of the plan, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan, as applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto.



1 and the requirements of this section. The superintendent of schools
2 of the school district or the governing body, as applicable, may
3 condition approval of the plan or the revised plan, as applicable, in
4 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
5 regulations adopted pursuant thereto. The State Board shall
6 prescribe the requirements for the process of peer review, including,
7 without limitation, the qualifications of persons who may serve as
8 peer reviewers.

9 8. If a school is designated as demonstrating exemplary
10 achievement, high achievement or adequate achievement, or if a
11 school that is not a Title I school is designated as demonstrating
12 need for improvement, not later than 45 days after receipt of the
13 plan or the revised plan, as applicable, the superintendent of schools
14 of the school district or the governing body, as applicable, shall
15 approve the plan or the revised plan if it meets the requirements of
16 this section.

17 9. On or before December 15 of each year, the principal of
18 each school or the support team established for the school, as
19 applicable, shall submit the final plan or the final revised plan, as
20 applicable, to the:

- 21 (a) Superintendent of Public Instruction;
- 22 (b) Governor;
- 23 (c) State Board;
- 24 (d) Department;
- 25 (e) Committee;
- 26 (f) Bureau; and
- 27 (g) Board of trustees of the school district in which the school is
28 located.

29 10. A plan for the improvement of a school must be carried out
30 expeditiously, but not later than January 1 after approval of the plan
31 pursuant to subsection 7 or 8, as applicable.

32 **Sec. 5.7.** NRS 385.359 is hereby amended to read as follows:

33 385.359 1. The Bureau shall contract with a person or entity
34 to:

35 (a) Review and analyze, in accordance with the standards
36 prescribed by the Committee pursuant to subsection 2 of NRS
37 218.5354, the:

- 38 (1) Annual report of accountability prepared by:
 - 39 (I) The State Board pursuant to NRS 385.3469; and
 - 40 (II) The board of trustees of each school district pursuant
41 to NRS 385.347.

- 42 (2) Plan to improve the achievement of pupils prepared by:
 - 43 (I) The State Board pursuant to NRS 385.34691;
 - 44 (II) The board of trustees of each school district pursuant
45 to NRS 385.348; and



(III) Each school pursuant to NRS 385.357 identified by the Bureau for review, if any ~~it~~, *or if such a plan has not been prepared, the turnaround plan for the schools identified by the Bureau, if any, implemented pursuant to section 2 of this act or the plan for restructuring the school implemented pursuant to section 3.5 of this act, as applicable.*

(b) Submit a written report to and consult with the State Board and the Department regarding any methods by which the State Board may improve the accuracy of the report of accountability required pursuant to NRS 385.3469 and the plan to improve the achievement of pupils required pursuant to NRS 385.34691, and the purposes for which the report and plan to improve are used.

(c) Submit a written report to and consult with each school district regarding any methods by which the district may improve the accuracy of the report required pursuant to subsection 2 of NRS 385.347 and the plan to improve the achievement of pupils required pursuant to NRS 385.348, and the purposes for which the report and plan to improve are used.

(d) If requested by the Bureau, submit a written report to and consult with individual schools identified by the Bureau regarding any methods by which the school may improve the accuracy of the information required to be reported for the school pursuant to subsection 2 of NRS 385.347 and the ~~plan~~:

(1) Plan to improve the achievement of pupils required pursuant to NRS 385.357 ~~it~~;

(2) Turnaround plan for the school implemented pursuant to section 2 of this act; or

(3) Plan for restructuring the school implemented pursuant to section 3.5 of this act,

↳ whichever is applicable for the school.

(e) Submit written reports and any recommendations to the Committee and the Bureau concerning:

(1) The effectiveness of the provisions of NRS 385.3455 to 385.391, inclusive, in improving the accountability of the schools of this State;

(2) The status of each school district that is designated as demonstrating need for improvement pursuant to NRS 385.377 and each school that is designated as demonstrating need for improvement pursuant to NRS 385.3623; and

(3) Any other matter related to the accountability of the public schools of this State, as deemed necessary by the Bureau.

2. The consultant with whom the Bureau contracts to perform the duties required pursuant to subsection 1 must possess the experience and knowledge necessary to perform those duties, as determined by the Committee.



Sec. 6. NRS 385.361 is hereby amended to read as follows:

385.361 1. The State Board shall define the measurement for determining whether each public school, each school district and this State are making adequate yearly progress. The definition of adequate yearly progress must:

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

(b) Be designed to ensure that all pupils will meet or exceed the minimum level of proficiency set by the State Board, including, without limitation:

(1) Pupils who are economically disadvantaged, as defined by the State Board;

(2) Pupils from major racial and ethnic groups, as defined by the State Board;

(3) Pupils with disabilities; and

(4) Pupils who are limited English proficient;

(c) Be based primarily upon the measurement of progress of pupils on the examinations administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable;

(d) Include annual measurable objectives established pursuant to 20 U.S.C. § 6311(b)(2)(G) and the regulations adopted pursuant thereto;

(e) For high schools, include the rate of graduation; and

(f) For elementary schools, junior high schools and middle schools, include the rate of attendance.

2. The examination in science must not be included in the definition of adequate yearly progress.

3. The State Board shall prescribe, by regulation, the *differentiated corrective actions, the consequences or the sanctions, or ~~both,~~ any combination thereof, based upon the identified needs of the public school, including, without limitation, a disproportionate number of English language learners or pupils receiving special education services or other educational needs of the public school,* that apply to a public school ~~[that is not a Title I school and]~~ that has been designated as demonstrating need for improvement for 4 consecutive years or more ~~[]~~, *including, without limitation, the establishment of a support team for a school if deemed necessary by the Department in accordance with the regulations of the State Board.* In no event may the consequences or sanctions be more strict than the restructuring that applies to Title I schools.

Sec. 7. NRS 385.3661 is hereby amended to read as follows:

385.3661 1. Except as otherwise provided in subsection 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of



* S B 3 8 9 R 1 *

1 NRS 385.3693, 385.3721 , ~~for~~ 385.3745 *or 385.3746 or section 2*
2 *or 3.5 of this act* do not apply, the board of trustees of the school
3 district shall:

4 (a) Provide notice of the designation to the parents and
5 guardians of pupils enrolled in the school on the form prescribed by
6 the Department pursuant to NRS 385.382; and

7 (b) Ensure that the school receives technical assistance in the
8 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
9 adopted pursuant thereto.

10 2. If a charter school is designated as demonstrating need for
11 improvement pursuant to NRS 385.3623 and the provisions of NRS
12 385.3693, 385.3721 , ~~for~~ 385.3745 *or 385.3745 or and section 2 or*
13 *3.5 of this act* do not apply:

14 (a) The governing body of the charter school shall provide
15 notice of the designation to the parents and guardians of pupils
16 enrolled in the charter school on the form prescribed by the
17 Department pursuant to NRS 385.382.

18 (b) For a charter school sponsored by the board of trustees of a
19 school district, the board of trustees shall, in conjunction with the
20 governing body of the charter school, ensure that the charter school
21 receives technical assistance in the manner set forth in 20 U.S.C. §
22 6316(b)(4) and the regulations adopted pursuant thereto.

23 (c) For a charter school sponsored by the State Board or by a
24 college or university within the Nevada System of Higher
25 Education, the Department shall, in conjunction with the governing
26 body of the charter school, ensure that the charter school receives
27 technical assistance in the manner set forth in 20 U.S.C. §
28 6316(b)(4) and the regulations adopted pursuant thereto.

29 3. In addition to the requirements of subsection 1 or 2, as
30 applicable, if a Title I school is designated as demonstrating need
31 for improvement pursuant to NRS 385.3623 and the provisions of
32 NRS 385.3693, 385.3721 , ~~for~~ 385.3745 *or 385.3746 or section 2*
33 *or 3.5 of this act* do not apply:

34 (a) Except as otherwise provided in paragraph (b), the board of
35 trustees of the school district shall provide school choice to the
36 parents and guardians of pupils enrolled in the school, including,
37 without limitation, a charter school sponsored by the school district,
38 in accordance with 20 U.S.C. § 6316(b)(1) and the regulations
39 adopted pursuant thereto.

40 (b) For a charter school sponsored by the State Board or by a
41 college or university within the Nevada System of Higher
42 Education, the Department shall work cooperatively with the board
43 of trustees of the school district in which the charter school is
44 located to provide school choice to the parents and guardians of



pupils enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

Sec. 8. (Deleted by amendment.)

Sec. 9. (Deleted by amendment.)

Sec. 10. NRS 385.3721 is hereby amended to read as follows:

385.3721 1. ~~If a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years, the support team established for the school pursuant to this section shall carry out the requirements of NRS 385.3741 and 385.3742.~~

~~2.~~ Except as otherwise provided in subsection ~~{3.}~~ 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years:

(a) The board of trustees of the school district shall:

(1) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(2) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The Department shall ~~establish a support team for the school, with the membership prescribed pursuant to NRS 385.374.~~

~~3.~~ *require the board of trustees of the school district to conduct a comprehensive audit of the school which must include an audit of the curriculum, including, without limitation, methods of instruction and assessments, implemented by the school.*

2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years:

(a) The governing body of the charter school shall provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(d) The Department shall ~~establish a support team for the school, with the membership prescribed pursuant to NRS 385.374.~~



* S B 3 8 9 R 1 *

require the governing body of the charter school to conduct a comprehensive audit of the charter school which must include an audit of the curriculum, including, without limitation, methods of instruction and assessments, implemented by the charter school.

Sec. 11. NRS 385.374 is hereby amended to read as follows:

385.374 1. The membership of each support team established pursuant to NRS ~~[385.3721]~~ **385.3745** must consist of, without limitation:

(a) Teachers and principals who are considered highly qualified and who are not employees of the public school for which the support team is established;

(b) One member appointed in accordance with subsection 3, who must serve as the team leader of the support team;

(c) Except for a charter school, at least one administrator at the district level who is employed by the board of trustees of the school district;

(d) At least one parent or guardian of a pupil who is enrolled in the public school for which the support team is established; and

(e) In addition to the requirements of paragraphs (a) to (d), inclusive, for a charter school:

(1) At least one member of the governing body of the charter school, regardless of the sponsor of the charter school; and

(2) If the charter school is sponsored by the board of trustees of a school district, at least one employee of the school district, which may include an administrator.

2. The membership of each support team established pursuant to NRS ~~[385.3721]~~ **385.3745** may consist of, without limitation:

(a) Except for a charter school, one or more members of the board of trustees of the school district in which the school is located;

(b) Representatives of institutions of higher education;

(c) Representatives of regional educational laboratories;

(d) Representatives of outside consultant groups;

(e) Representatives of the regional training program for the professional development of teachers and administrators created by NRS 391.512 that provides services to the school district in which the school is located;

(f) The Bureau; and

(g) Other persons who the Department determines are appropriate.

3. The member appointed pursuant to paragraph (b) of subsection 1 must:

(a) Be employed by the Department; or

(b) If he is not employed by the Department, have the training and experience required by the Department.



Sec. 12. NRS 385.374 is hereby amended to read as follows:

385.374 1. ~~[(The)]~~ *If a school support team is established in accordance with the regulations adopted by the State Board pursuant to NRS 385.361, the* membership of ~~[(each)]~~ *the* support team ~~[(established pursuant to NRS 385.3745)]~~ must consist of, without limitation:

(a) Teachers and principals who are considered highly qualified and who are not employees of the public school for which the support team is established;

(b) One member appointed in accordance with subsection 3, who must serve as the team leader of the support team;

(c) Except for a charter school, at least one administrator at the district level who is employed by the board of trustees of the school district;

(d) At least one parent or guardian of a pupil who is enrolled in the public school for which the support team is established; and

(e) In addition to the requirements of paragraphs (a) to (d), inclusive, for a charter school:

(1) At least one member of the governing body of the charter school, regardless of the sponsor of the charter school; and

(2) If the charter school is sponsored by the board of trustees of a school district, at least one employee of the school district, which may include an administrator.

2. ~~[(The)]~~ *If a school support team is established in accordance with the regulations adopted by the State Board pursuant to NRS 385.361, the* membership of ~~[(each)]~~ *the* support team ~~[(established pursuant to NRS 385.3745)]~~ may consist of, without limitation:

(a) Except for a charter school, one or more members of the board of trustees of the school district in which the school is located;

(b) Representatives of institutions of higher education;

(c) Representatives of regional educational laboratories;

(d) Representatives of outside consultant groups;

(e) Representatives of the regional training program for the professional development of teachers and administrators created by NRS 391.512 that provides services to the school district in which the school is located;

(f) The Bureau; and

(g) Other persons who the Department determines are appropriate.

3. The member appointed pursuant to paragraph (b) of subsection 1 must:

(a) Be employed by the Department; or

(b) If he is not employed by the Department, have the training and experience required by the Department.



* S B 3 8 9 R 1 *

Sec. 13. NRS 385.3741 is hereby amended to read as follows:

385.3741 1. Each support team established for a public school pursuant to NRS ~~385.3721~~ 385.3745 shall:

(a) Review and analyze the operation of the school, including, without limitation, the design and operation of the instructional program of the school.

(b) Review and analyze the data pertaining to the school upon which the report required pursuant to subsection 2 of NRS 385.347 is based and review and analyze any data that is more recent than the data upon which the report is based.

(c) Review the most recent plan to improve the achievement of the school's pupils.

(d) Review the information concerning the educational involvement accords provided to the support team pursuant to NRS 392.4575 and the information concerning the reports provided to the support team pursuant to NRS 392.456.

(e) Identify and investigate the problems and factors at the school that contributed to the designation of the school as demonstrating need for improvement.

(f) Assist the school in developing recommendations for improving the performance of pupils who are enrolled in the school.

(g) Except as otherwise provided in this paragraph, make recommendations to the board of trustees of the school district, the State Board and the Department concerning additional assistance for the school in carrying out the plan for improvement of the school. For a charter school sponsored by the State Board, the support team shall make the recommendations to the State Board and the Department. For a charter school sponsored by a college or university within the Nevada System of Higher Education, the support team shall make the recommendations to the sponsor, the State Board and the Department.

(h) In accordance with its findings pursuant to this section and NRS 385.3742, submit, on or before November 1, written revisions to the most recent plan to improve the achievement of the school's pupils for approval pursuant to NRS 385.357. The written revisions must:

(1) Comply with NRS 385.357;

(2) If the school is a Title I school, be developed in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity that created the support team, outside experts;

(3) Include the data and findings of the support team that provide support for the revisions;

(4) Set forth goals, objectives, tasks and measures for the school that are:



* S B 3 8 9 R 1 *

(I) Designed to improve the achievement of the school's pupils;

(II) Specific;

(III) Measurable; and

(IV) Conducive to reliable evaluation;

(5) Set forth a timeline to carry out the revisions;

(6) Set forth priorities for the school in carrying out the revisions; and

(7) Set forth the name and duties of each person who is responsible for carrying out the revisions.

(i) Except as otherwise provided in this paragraph, work cooperatively with the board of trustees of the school district in which the school is located, the employees of the school, and the parents and guardians of pupils enrolled in the school to carry out and monitor the plan for improvement of the school. If a charter school is sponsored by the State Board, the Department shall assist the school with carrying out and monitoring the plan for improvement of the school. If a charter school is sponsored by a college or university within the Nevada System of Higher Education, that institution shall assist the school with carrying out and monitoring the plan for improvement of the school.

(j) Prepare a quarterly progress report in the format prescribed by the Department and:

(1) Submit the progress report to the Department.

(2) Distribute copies of the progress report to each employee of the school for review.

(k) In addition to the requirements of this section, if the support team is established for a Title I school, carry out the requirements of 20 U.S.C. § 6317(a)(5).

2. A school support team may require the school for which the support team was established to submit plans, strategies, tasks and measures that, in the determination of the support team, will assist the school in improving the achievement and proficiency of pupils enrolled in the school.

3. The Department shall prescribe a concise quarterly progress report for use by each support team in accordance with paragraph (j) of subsection 1.

Sec. 14. NRS 385.3741 is hereby amended to read as follows:

385.3741 1. ~~Each~~ *If a school support team is established pursuant to the regulations adopted by the State Board pursuant to NRS 385.361, the* support team ~~established for a public school pursuant to NRS 385.3745]~~ shall:

(a) Review and analyze the operation of the school, including, without limitation, the design and operation of the instructional program of the school.



* S B 3 8 9 R 1 *

(b) Review and analyze the data pertaining to the school upon which the report required pursuant to subsection 2 of NRS 385.347 is based and review and analyze any data that is more recent than the data upon which the report is based.

(c) Review the most recent plan to improve the achievement of the school's pupils.

(d) Review the information concerning the educational involvement accords provided to the support team pursuant to NRS 392.4575 and the information concerning the reports provided to the support team pursuant to NRS 392.456.

(e) Identify and investigate the problems and factors at the school that contributed to the designation of the school as demonstrating need for improvement.

(f) Assist the school in developing recommendations for improving the performance of pupils who are enrolled in the school.

(g) Except as otherwise provided in this paragraph, make recommendations to the board of trustees of the school district, the State Board and the Department concerning additional assistance for the school in carrying out the plan for improvement of the school. For a charter school sponsored by the State Board, the support team shall make the recommendations to the State Board and the Department. For a charter school sponsored by a college or university within the Nevada System of Higher Education, the support team shall make the recommendations to the sponsor, the State Board and the Department.

(h) In accordance with its findings pursuant to this section and NRS 385.3742, submit, on or before November 1, written revisions to the most recent plan to improve the achievement of the school's pupils for approval pursuant to NRS 385.357 ~~§~~, *the turnaround plan for the school implemented pursuant to section 2 of this act or the plan for restructuring the school implemented pursuant to section 3.5 of this act, whichever is applicable for the school.* The written revisions must:

(1) Comply with NRS 385.357 ~~§~~ *if the school has demonstrated need for improvement for less than 5 years or with section 2 or 3.5 of this act, as applicable, if the school has demonstrated need for improvement for 5 or more consecutive years;*

(2) If the school is a Title I school, be developed in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity that created the support team, outside experts;

(3) Include the data and findings of the support team that provide support for the revisions;



(4) Set forth goals, objectives, tasks and measures for the school that are:

(I) Designed to improve the achievement of the school's pupils;

(II) Specific;

(III) Measurable; and

(IV) Conducive to reliable evaluation;

(5) Set forth a timeline to carry out the revisions;

(6) Set forth priorities for the school in carrying out the revisions; and

(7) Set forth the name and duties of each person who is responsible for carrying out the revisions.

(i) Except as otherwise provided in this paragraph, work cooperatively with the board of trustees of the school district in which the school is located, the employees of the school, and the parents and guardians of pupils enrolled in the school to carry out and monitor the plan for improvement of the school. If a charter school is sponsored by the State Board, the Department shall assist the school with carrying out and monitoring the plan for improvement of the school. If a charter school is sponsored by a college or university within the Nevada System of Higher Education, that institution shall assist the school with carrying out and monitoring the plan for improvement of the school.

(j) Prepare a quarterly progress report in the format prescribed by the Department and:

(1) Submit the progress report to the Department.

(2) Distribute copies of the progress report to each employee of the school for review.

(k) In addition to the requirements of this section, if the support team is established for a Title I school, carry out the requirements of 20 U.S.C. § 6317(a)(5).

2. A school support team may require the school for which the support team was established to submit plans, strategies, tasks and measures that, in the determination of the support team, will assist the school in improving the achievement and proficiency of pupils enrolled in the school.

3. The Department shall prescribe a concise quarterly progress report for use by each support team in accordance with paragraph (j) of subsection 1.

Sec. 15. (Deleted by amendment.)

Sec. 16. NRS 385.3744 is hereby amended to read as follows:

385.3744 1. Except as otherwise provided in subsection ~~3.1~~ 2, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years for failing to make adequate yearly progress,



~~[the support team established for the school shall consider whether corrective action is appropriate for the school. If the support team determines that corrective action is appropriate, the support team shall make a recommendation for corrective action for the school, including, without limitation, the type of corrective action that is recommended from the list of corrective actions authorized pursuant to subsection 2. The recommendation must be submitted to:~~

~~—(a) For a school of the school district or a charter school sponsored by the board of trustees of the school district, the board of trustees.~~

~~—(b) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department.~~

~~—2. Regardless of whether a support team recommends corrective action for a school, the~~ **the** Department may, for a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, and the board of trustees of a school district may, for a school of the school district or a charter school sponsored by the board of trustees, take one or more of the following corrective actions for the school:

(a) ~~[Develop and carry out a new curriculum at the school, including the provision of appropriate professional development relating to the new curriculum.~~

~~—(b)]~~ Significantly decrease the managerial authority of the employees at the school.

~~[(e)]~~ (b) Extend the school year or the school day.

~~[3.]~~ **2.** The Department or the board of trustees of a school district, as applicable, shall grant a delay from the imposition of corrective action for a school for a period not to exceed 1 year if the school qualifies for a delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the Department or the board of trustees, as applicable, may proceed with corrective action as if the delay never occurred.

Sec. 17. NRS 385.3745 is hereby amended to read as follows:

385.3745 1. If a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years, the support team established for the school pursuant to ~~[NRS 385.3721]~~ **this section** shall carry out the requirements of NRS 385.3741 ~~[.]~~ **and** 385.3742. ~~[and 385.3744, as applicable.]~~

2. Except as otherwise provided in subsection 3, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years:

(a) The board of trustees of the school district shall:



(1) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(2) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The Department shall ~~continue~~ *establish* a support team for the school ~~[]~~, *with the membership prescribed pursuant to NRS 385.374.*

3. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years:

(a) The governing body of the charter school shall provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(d) The Department shall ~~continue~~ *establish* a support team for the charter school ~~[]~~, *with the membership prescribed pursuant to NRS 385.374.*

Sec. 18. NRS 385.3745 is hereby amended to read as follows:

385.3745 1. ~~If a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years, the support team established for the school pursuant to this section shall carry out the requirements of NRS 385.3741 and 385.3742.~~

~~2.]~~ Except as otherwise provided in subsection ~~[3.]~~ 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 ~~[or more]~~ consecutive years:

(a) The board of trustees of the school district shall:

(1) *Except as otherwise provided in subsection 3, develop a turnaround plan to improve the academic achievement of pupils enrolled in the school which meets the requirements prescribed by the State Board pursuant to paragraph (b).*



(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

~~[(2)]~~ (3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The ~~Department~~ *State Board* shall ~~establish a support team for the school, with the membership prescribed pursuant to NRS 385.374.~~

~~—3.]~~ *prescribe by regulation:*

(1) The requirements for a turnaround plan which must include, without limitation:

(I) A requirement that the plan is based on the results of the comprehensive audit conducted pursuant to NRS 385.3721;

(II) Measurable goals and objectives for obtaining adequate yearly progress;

(III) Specified steps or actions for obtaining adequate yearly progress; and

(IV) A timeline for the completion of the turnaround plan; and

(2) The actions the Department may take to monitor the development of the turnaround plan developed pursuant to this section and the implementation of any corrective action at the school.

2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 ~~for more~~ consecutive years:

(a) The governing body of the charter school shall provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school ~~ensure~~ :

(1) Except as otherwise provided in subsection 3, develop a turnaround plan to improve the academic achievement of pupils enrolled in the school which meets the requirements prescribed by the State Board pursuant to paragraph (d).

(2) Ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school ~~ensure~~ :



1 (1) *Except as otherwise provided in subsection 3, develop a*
2 *turnaround plan to improve the academic achievement of pupils*
3 *enrolled in the school which meets the requirements prescribed by*
4 *the State Board pursuant to paragraph (d).*

5 (2) *Ensure* that the charter school receives technical
6 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
7 regulations adopted pursuant thereto.

8 (d) The ~~[Department shall establish a support team for the~~
9 ~~charter school, with the membership prescribed pursuant to NRS~~
10 ~~385.374.]~~ *State Board shall prescribe by regulation:*

11 (1) *The requirements for a turnaround plan which must*
12 *include, without limitation:*

13 (I) *A requirement that the plan is based on the results of*
14 *the comprehensive audit conducted pursuant to NRS 385.3721;*

15 (II) *Measurable goals and objectives for obtaining*
16 *adequate yearly progress;*

17 (III) *Specified steps or actions for obtaining adequate*
18 *yearly progress; and*

19 (IV) *A timeline for the completion of the turnaround*
20 *plan; and*

21 (2) *The actions the Department may take to monitor the*
22 *implementation of the turnaround plan developed pursuant to this*
23 *section and the implementation of any corrective action at the*
24 *charter school.*

25 3. *If a public school is granted a delay from the development*
26 *of a turnaround plan pursuant to subsection 2 of NRS 385.376*
27 *and the school fails to make adequate yearly progress during the*
28 *period of the delay, a turnaround plan must be immediately*
29 *developed and implemented for the school in accordance with this*
30 *section as if the delay never occurred.*

31 4. *A turnaround plan developed for a school must be*
32 *submitted to the:*

33 (a) *Superintendent of Public Instruction;*

34 (b) *Department;*

35 (c) *Bureau; and*

36 (d) *Board of trustees of the school district in which the school*
37 *is located.*

38 **Sec. 19.** NRS 385.3746 is hereby amended to read as follows:

39 385.3746 1. ~~[In addition to the requirements of NRS~~
40 ~~385.3745, if]~~ *If* a Title I school is designated as demonstrating need
41 for improvement pursuant to NRS 385.3623 for 4 ~~[or more]~~
42 consecutive years:

43 (a) Except as otherwise provided in paragraph (b), the board of
44 trustees of the school district shall:



(1) *Provide notice of the designation to the parents and guardians of the pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382;*

(2) *Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;*

(3) Provide school choice to the parents and guardians of pupils enrolled in the school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto;

~~[(2)]~~ (4) Provide supplemental educational services in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law; and

~~[(3)]~~ (5) Except as otherwise provided in subsection ~~[(2)]~~, ~~proceed with~~ 3, develop a plan for restructuring the school if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

(b) *The governing body of the charter school shall provide notice of the designation to the parents and guardians of the pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382.* If the school is a charter school:

(1) Sponsored by the board of trustees of a school district, the board of trustees shall:

(I) *In conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;*

(II) Provide school choice to the parents and guardians of pupils enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1); and

~~[(H)]~~ (III) Except as otherwise provided in subsection ~~[(3)]~~, ~~proceed with~~ 4, develop a plan for restructuring the school if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

(2) Sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall:

(I) *In conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;*

(II) Work cooperatively with the board of trustees of the school district in which the charter school is located to provide



1 school choice to the parents and guardians of pupils enrolled in the
2 school in accordance with 20 U.S.C. § 6316(b)(1) and the
3 regulations adopted pursuant thereto; and

4 ~~[(H)] (III)~~ Except as otherwise provided in subsection ~~[3;~~
5 ~~proceed with]~~ *4, develop* a plan for restructuring the school if
6 required by 20 U.S.C. § 6316(b)(8) and the regulations adopted
7 pursuant thereto.

8 (3) Regardless of the sponsor, the governing body of the
9 charter school shall provide supplemental educational services in
10 accordance with 20 U.S.C. § 6316(e) and the regulations adopted
11 pursuant thereto from a provider approved pursuant to NRS
12 385.384, unless a waiver is granted pursuant to that provision of
13 federal law.

14 2. *A plan for restructuring the school developed pursuant to*
15 *this section must include, without limitation:*

16 (a) *A requirement that the plan is based on the results of the*
17 *comprehensive audit conducted pursuant to NRS 385.3721;*

18 (b) *Measurable goals and objectives for obtaining adequate*
19 *yearly progress;*

20 (c) *Specified steps or actions for obtaining adequate yearly*
21 *progress; and*

22 (d) *A timeline for the completion of the plan for restructuring*
23 *the school.*

24 3. The board of trustees of a school district shall grant a delay
25 from the ~~[imposition]~~ *development* of a plan for restructuring for a
26 school for a period not to exceed 1 year if the school qualifies for a
27 delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to
28 make adequate yearly progress during the period of the delay, the
29 board of trustees shall *immediately develop and* proceed with ~~[a]~~
30 *the implementation of the* plan for restructuring the school as if the
31 delay never occurred.

32 ~~[3-]~~ 4. The sponsor of a charter school shall grant a delay from
33 the ~~[imposition]~~ *development* of a plan for restructuring for the
34 charter school for a period not to exceed 1 year if the charter school
35 qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the
36 charter school fails to make adequate yearly progress during the
37 period of the delay, *a plan for restructuring must be immediately*
38 *developed for the school in accordance with this section and* the
39 Department shall proceed with ~~[a]~~ *the implementation of the* plan
40 for restructuring the charter school as if the delay never occurred.

41 ~~[4. Before the board of trustees of a school district or the~~
42 ~~Department proceeds with a plan for restructuring, the board of~~
43 ~~trustees or the Department, as applicable, shall provide to the~~
44 ~~administrators, teachers and other educational personnel employed~~



~~at that school, and parents and guardians of pupils enrolled in the school;~~

~~—(a) Notice that the board of trustees or the Department, as applicable, will develop a plan for restructuring the school;~~

~~—(b) An opportunity to comment before the plan to restructure is developed; and~~

~~—(c) An opportunity to participate in the development of the plan to restructure.]~~

5. A plan for restructuring developed pursuant to this section must be submitted to the:

(a) Superintendent of Public Instruction;

(b) Department;

(c) Bureau; and

(d) Board of trustees of the school district in which the school is located.

Sec. 20. NRS 385.376 is hereby amended to read as follows:

385.376 1. Except as otherwise provided in subsection ~~[3.]~~ 2, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years for failure to make adequate yearly progress, ~~[the support team for the school shall:~~

~~—(a) If corrective action was not taken against the school pursuant to NRS 385.3744, consider whether corrective action is appropriate for the school.~~

~~—(b) If corrective action was taken against the school pursuant to NRS 385.3744, consider whether further corrective action is appropriate or whether consequences or sanctions, or both, are appropriate for the school.~~

~~2. Regardless of whether a support team recommends corrective action or consequences or sanctions for a school,]~~ the Department may, for a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, and the board of trustees of a school district may, for a school of the school district or a charter school sponsored by the board of trustees, take corrective action as set forth in NRS 385.3744 or proceed with *differentiated corrective actions*, consequences or sanctions, or ~~[both,]~~ *any combination thereof*, as prescribed by the State Board pursuant to NRS 385.361.

~~[3.]~~ 2. The Department or the board of trustees of a school district, as applicable, shall grant a delay from the imposition of corrective action, *consequences* or ~~[restructuring]~~ *sanctions, or any combination thereof*, pursuant to this section for a school for a period not to exceed 1 year if the school qualifies for a delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the



1 Department or the board of trustees, as applicable, may proceed
2 with corrective action , ~~for-with~~ consequences or sanctions, or
3 ~~both,~~ *any combination thereof*, for the school, as appropriate, as if
4 the delay never occurred.

5 ~~[4.]~~ 3. Before the board of trustees or the Department proceeds
6 with consequences or sanctions, the board of trustees or the
7 Department, as applicable, shall provide to the administrators,
8 teachers and other educational personnel employed at that school,
9 and parents and guardians of pupils enrolled in the school:

10 (a) Notice that the board of trustees or the Department, as
11 applicable, will proceed with consequences or sanctions for the
12 school;

13 (b) An opportunity to comment before the consequences or
14 sanctions are carried out; and

15 (c) An opportunity to participate in the development of the
16 consequences or sanctions.

17 **Sec. 21.** NRS 385.376 is hereby amended to read as follows:

18 385.376 1. Except as otherwise provided in subsection 2, if a
19 public school that is not a Title I school is designated as
20 demonstrating need for improvement pursuant to NRS 385.3623 for
21 4 ~~for-more~~ consecutive years for failure to make adequate yearly
22 progress, the Department may, for a charter school sponsored by the
23 State Board or by a college or university within the Nevada System
24 of Higher Education, and the board of trustees of a school district
25 may, for a school of the school district or a charter school sponsored
26 by the board of trustees, take corrective action as set forth in NRS
27 385.3744 or proceed with differentiated correction actions,
28 consequences or sanctions, or any combination thereof, as
29 prescribed by the State Board pursuant to NRS 385.361.

30 2. The Department or the board of trustees of a school district,
31 as applicable, shall grant a delay from the imposition of corrective
32 action, consequences or sanctions, or any combination thereof,
33 pursuant to this section for a school for a period not to exceed 1 year
34 if the school qualifies for a delay in the manner set forth in 20
35 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly
36 progress during the period of the delay, the Department or the board
37 of trustees, as applicable, may proceed with corrective action,
38 consequences or sanctions, or any combination thereof, for the
39 school, as appropriate, *pursuant to the provisions of section 2 of*
40 *this act* as if the delay never occurred.

41 3. Before the board of trustees or the Department proceeds with
42 consequences or sanctions, the board of trustees or the Department,
43 as applicable, shall provide to the administrators, teachers and other
44 educational personnel employed at that school, and parents and
45 guardians of pupils enrolled in the school:



(a) Notice that the board of trustees or the Department, as applicable, will proceed with consequences or sanctions for the school;

(b) An opportunity to comment before the consequences or sanctions are carried out; and

(c) An opportunity to participate in the development of the consequences or sanctions.

Sec. 21.3. NRS 385.3785 is hereby amended to read as follows:

385.3785 1. The Commission shall:

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

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

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

(3) The plan to improve the achievement of pupils prepared by the principal of each school pursuant to NRS 385.357, which may include a program of innovation **H**, *the turnaround plan for the school implemented pursuant to section 2 of this act or the plan for restructuring the school implemented pursuant to section 3.5 of this act, whichever is applicable for the school*; and

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

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

(c) Develop a concise application and simple procedures for the submission of applications by 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 **H**, *or that are linked to the turnaround plan for the school or the plan for restructuring the school, if applicable, or for innovative programs, or both*. The Commission 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



1 progress. A public school or a consortium of public schools selected
2 for participation may be approved by the Commission for
3 participation for a period not to exceed 2 years, but may reapply.

4 (d) Prescribe a long-range timeline for the review, approval and
5 evaluation of applications received from public schools and
6 consortiums of public schools that desire to participate in the
7 program.

8 (e) Establish guidelines for the review, evaluation and approval
9 of applications for grants of money from the Account, including,
10 without limitation, consideration of the list of priorities of public
11 schools provided by the Department pursuant to subsection 5. To
12 ensure consistency in the review, evaluation and approval of
13 applications, if the guidelines authorize the review and evaluation of
14 applications by less than the entire membership of the Commission,
15 money must not be allocated from the Account for a grant until the
16 entire membership of the Commission has reviewed and approved
17 the application for the grant.

18 (f) Prescribe accountability measures to be carried out by a
19 public school that participates in the program if that public school
20 does not meet the annual measurable objectives established by the
21 State Board pursuant to NRS 385.361, including, without limitation:

22 (1) The specific levels of achievement expected of schools
23 that participate; and

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

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

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

35 (i) Establish criteria for public schools and consortiums of
36 public schools that participate in the program and receive an
37 allocation of money from the Account to evaluate the effectiveness
38 of the allocation in improving the achievement of pupils, including,
39 without limitation, a detailed analysis of:

40 (1) The achievement of pupils enrolled at each school that
41 received money from the allocation based upon measurable criteria
42 identified in, *as applicable*, the ~~[plan]~~ :

43 (I) *Plan* to improve the achievement of pupils for the
44 school prepared pursuant to NRS 385.357;



(II) Turnaround plan for the school implemented pursuant to section 2 of this act; or

(III) Plan for restructuring the school implemented pursuant to section 3.5 of this act;

(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 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 shall comply with the requirements of subsection 1.

3. The Commission 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,

➔ over a 2-year period, the Commission may consider not awarding future allocations of money to that public school or consortium of public schools.

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

(a) The adequate yearly progress status of schools in the immediately preceding year; and

(b) The public schools that are considered Title I eligible by the Department based upon the poverty level of the pupils enrolled in a school in comparison to the poverty level of the pupils in the school district as a whole,



* S B 3 8 9 R 1 *

1 ➡ for consideration by the Commission in its development of
2 procedures for the applications.

3 6. A public school, including, without limitation, a charter
4 school, or a consortium of public schools may request assistance
5 from the school district in which the school is located in preparing
6 an application for a grant of money pursuant to this section. A
7 school district shall assist each public school or consortium of
8 public schools that requests assistance pursuant to this subsection to
9 ensure that the application of the school:

10 (a) Is based directly upon, *as applicable*, the ~~[plan]~~ :

11 (1) *Plan* to improve the achievement of pupils prepared for
12 the school pursuant to NRS 385.357;

13 (2) *Turnaround plan for the school implemented pursuant*
14 *to section 2 of this act; or*

15 (3) *Plan for restructuring the school implemented pursuant*
16 *to section 3.5 of this act;*

17 (b) Is developed in accordance with the criteria established by
18 the Commission; and

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

21 ➡ A school district may make recommendations to the individual
22 schools and consortiums of public schools. Such schools and
23 consortiums of public schools are not required to follow the
24 recommendations of a school district.

25 7. In carrying out the requirements of this section, the
26 Commission shall review and consider the programs of remedial
27 study adopted by the Department pursuant to NRS 385.389, the list
28 of approved providers of supplemental services maintained by the
29 Department pursuant to NRS 385.384 and the recommendations
30 submitted by the Committee pursuant to NRS 218.5354 concerning
31 programs, practices and strategies that have proven effective in
32 improving the academic achievement and proficiency of pupils.

33 8. If a consortium of public schools is formed for the purpose
34 of submitting an application pursuant to this section, the public
35 schools within the consortium do not need to be located within the
36 same school district.

37 **Sec. 21.7.** NRS 386.605 is hereby amended to read as follows:

38 386.605 1. On or before July 15 of each year, the governing
39 body of a charter school shall submit the information concerning the
40 charter school that is required pursuant to subsection 2 of NRS
41 385.347 to the board of trustees of the school district in which the
42 charter school is located for inclusion in the report of the school
43 district pursuant to that section. The information must be submitted
44 by the charter school in a format prescribed by the board of trustees.



* S B 3 8 9 R 1 *

2. The Legislative Bureau of Educational Accountability and Program Evaluation created pursuant to NRS 218.5356 may authorize a person or entity with whom it contracts pursuant to NRS 385.359 to review and analyze information submitted by charter schools pursuant to this section and *pursuant to NRS 385.357 ~~[H]~~ or section 2 or 3.5 of this act, whichever is applicable for the school,* consult with the governing bodies of charter schools and submit written reports concerning charter schools pursuant to NRS 385.359.

Sec. 22. NRS 386.730 is hereby amended to read as follows:

386.730 1. Except as otherwise provided in subsection 2, the principal of a public school within a school district that participates in the Program of Empowerment Schools who wishes to convert to an empowerment school shall:

(a) Establish an empowerment team for the school; and

(b) Develop an empowerment plan for the school in consultation with:

(1) The empowerment team; and

(2) The school support team, if a school support team has been established for the school pursuant to NRS ~~[385.3721-]~~ **385.3745.**

2. The principal of a public school located in a county whose population is less than 100,000 may develop an empowerment plan for the school without establishing or consulting with an empowerment team. If a school support team has been established for the school, the principal shall develop the empowerment plan in consultation with the school support team. If an empowerment team has not been established pursuant to the exception provided in this subsection, the principal of the school shall carry out the responsibilities and duties otherwise assigned to an empowerment team pursuant to NRS 386.700 to 386.780, inclusive.

3. An empowerment team for a school must consist of the following persons:

(a) The principal of the school;

(b) At least two but not more than four teachers and other licensed educational personnel who are employed at the school, selected by a recognized employee organization that represents licensed educational personnel within the school district;

(c) At least two but not more than four employees, other than teachers and other licensed educational personnel, who are employed at the school, selected by an organization that represents those employees;

(d) At least two but not more than four parents and legal guardians of pupils enrolled in the school, selected by an association of parents established for the school;



(e) At least two but not more than four representatives of the community or businesses within the community;

(f) The facilitator of the school support team, if a school support team has been established for the school pursuant to NRS ~~[385.3721;]~~ 385.3745; and

(g) Such other persons as may be necessary to meet the requirements set forth in subsection 4.

4. Of the total number of members on an empowerment team for a school:

(a) At least one member must have 5 years or more of experience in school finance;

(b) At least one member must have 5 years or more of experience in school administration or human resources;

(c) At least one member must have 5 years or more of experience in overseeing the academic programs and curriculum for a public school; and

(d) At least one member must have 5 years or more of experience in the collection and analysis of data.

➔ The provisions of this subsection do not require the appointment of four persons if one, two or three such persons satisfy the qualifications.

5. A charter school that wishes to participate in the Program of Empowerment Schools shall comply with the provisions of NRS 386.700 to 386.780, inclusive. If a charter school is approved as an empowerment school, the charter school does not forfeit its status as a charter school.

Sec. 23. NRS 386.730 is hereby amended to read as follows:

386.730 1. Except as otherwise provided in subsection 2, the principal of a public school within a school district that participates in the Program of Empowerment Schools who wishes to convert to an empowerment school shall:

(a) Establish an empowerment team for the school; and

(b) Develop an empowerment plan for the school in consultation with:

(1) The empowerment team; and

(2) The school support team, if a school support team has been established for the school *in accordance with the regulations of the State Board adopted* pursuant to NRS ~~[385.3745;]~~ 385.361.

2. The principal of a public school located in a county whose population is less than 100,000 may develop an empowerment plan for the school without establishing or consulting with an empowerment team. If a school support team has been established for the school, the principal shall develop the empowerment plan in consultation with the school support team. If an empowerment team has not been established pursuant to the exception provided in this



1 subsection, the principal of the school shall carry out the
2 responsibilities and duties otherwise assigned to an empowerment
3 team pursuant to NRS 386.700 to 386.780, inclusive.

4 3. An empowerment team for a school must consist of the
5 following persons:

6 (a) The principal of the school;

7 (b) At least two but not more than four teachers and other
8 licensed educational personnel who are employed at the school,
9 selected by a recognized employee organization that represents
10 licensed educational personnel within the school district;

11 (c) At least two but not more than four employees, other than
12 teachers and other licensed educational personnel, who are
13 employed at the school, selected by an organization that represents
14 those employees;

15 (d) At least two but not more than four parents and legal
16 guardians of pupils enrolled in the school, selected by an association
17 of parents established for the school;

18 (e) At least two but not more than four representatives of the
19 community or businesses within the community;

20 (f) The facilitator of the school support team, if a school support
21 team has been established for the school pursuant to *regulations*
22 *adopted by the State Board pursuant to* NRS ~~[385.3745:]~~ 385.361;
23 and

24 (g) Such other persons as may be necessary to meet the
25 requirements set forth in subsection 4.

26 4. Of the total number of members on an empowerment team
27 for a school:

28 (a) At least one member must have 5 years or more of
29 experience in school finance;

30 (b) At least one member must have 5 years or more of
31 experience in school administration or human resources;

32 (c) At least one member must have 5 years or more of
33 experience in overseeing the academic programs and curriculum for
34 a public school; and

35 (d) At least one member must have 5 years or more of
36 experience in the collection and analysis of data.

37 ➤ The provisions of this subsection do not require the appointment
38 of four persons if one, two or three such persons satisfy the
39 qualifications.

40 5. A charter school that wishes to participate in the Program of
41 Empowerment Schools shall comply with the provisions of NRS
42 386.700 to 386.780, inclusive. If a charter school is approved as an
43 empowerment school, the charter school does not forfeit its status as
44 a charter school.



Sec. 24. NRS 386.740 is hereby amended to read as follows:

386.740 1. Each empowerment plan for a school must:

(a) Set forth the manner by which the school will be governed;

(b) Set forth the proposed budget for the school, including, without limitation, the cost of carrying out the empowerment plan, and the manner by which the money apportioned to the school will be administered;

(c) If a school support team has been established for the school pursuant to NRS ~~385.3721~~, **385.3745**, require the principal and the empowerment team for the school to work in consultation with the school support team;

(d) Prescribe the academic plan for the school, including, without limitation, the manner by which courses of study will be provided to the pupils enrolled in the school and any special programs that will be offered for pupils;

(e) Prescribe the manner by which the achievement of pupils will be measured and reported for the school, including, without limitation, the results of the pupils on the examinations administered pursuant to NRS 389.015 and 389.550;

(f) Prescribe the manner by which teachers and other licensed educational personnel will be selected and hired for the school, which must be determined and negotiated pursuant to chapter 288 of NRS;

(g) Prescribe the manner by which all other staff for the school will be selected and hired, which must be determined and negotiated pursuant to chapter 288 of NRS;

(h) Indicate whether the empowerment plan will offer an incentive pay structure for staff and a description of that pay structure, if applicable;

(i) Indicate the intended ratio of pupils to teachers at the school, designated by grade level, which must comply with NRS 388.700 or 388.720, as applicable;

(j) Provide a description of the professional development that will be offered to the teachers and other licensed educational personnel employed at the school;

(k) Prescribe the manner by which the empowerment plan will increase the involvement of parents and legal guardians of pupils enrolled in the school;

(l) Comply with the plan to improve the achievement of the pupils enrolled in the school prepared pursuant to NRS 385.357;

(m) Address the specific educational needs and concerns of the pupils who are enrolled in the school; and

(n) Set forth the calendar and schedule for the school.

2. If the empowerment plan includes an incentive pay structure, that pay structure must:



* S B 3 8 9 R 1 *

1 (a) Provide an incentive for all staff employed at the school;
2 (b) Set forth the standards that must be achieved by the pupils
3 enrolled in the school and any other measurable objectives that must
4 be met to be eligible for incentive pay; and

5 (c) Be in addition to the salary or hourly rate of pay negotiated
6 pursuant to chapter 288 of NRS that is otherwise payable to the
7 employee.

8 3. An empowerment plan may:

9 (a) Request a waiver from a statute contained in this title or a
10 regulation of the State Board or the Department.

11 (b) Identify the services of the school district which the school
12 wishes to receive, including, without limitation, professional
13 development, transportation, food services and discretionary
14 services. Upon approval of the empowerment plan, the school
15 district may deduct from the total apportionment to the
16 empowerment school the costs of such services.

17 4. For purposes of determining the budget pursuant to
18 paragraph (b) of subsection 1, if a public school which converts to
19 an empowerment school is a:

20 (a) Charter school, the amount of the budget is the amount equal
21 to the apportionments and allowances from the State Distributive
22 School Account pursuant to NRS 387.121 to 387.126, inclusive, and
23 its proportionate share of any other money available from federal,
24 state or local sources that the school or the pupils enrolled in the
25 school are eligible to receive.

26 (b) Public school, other than a charter school, the empowerment
27 team for the school shall have discretion of 90 percent of the amount
28 of money from the state financial aid and local funds that the school
29 district apportions for the school, without regard to any line-item
30 specifications or specific uses determined advisable by the school
31 district, unless the empowerment team determines that a lesser
32 amount is necessary to carry out the empowerment plan.

33 **Sec. 25.** NRS 386.740 is hereby amended to read as follows:

34 386.740 1. Each empowerment plan for a school must:

35 (a) Set forth the manner by which the school will be governed;

36 (b) Set forth the proposed budget for the school, including,
37 without limitation, the cost of carrying out the empowerment plan,
38 and the manner by which the money apportioned to the school will
39 be administered;

40 (c) If a school support team has been established for the school
41 *in accordance with the regulations of the State Board adopted*
42 *pursuant to NRS [385.3745,] 385.361,* require the principal and the
43 empowerment team for the school to work in consultation with the
44 school support team;



(d) Prescribe the academic plan for the school, including, without limitation, the manner by which courses of study will be provided to the pupils enrolled in the school and any special programs that will be offered for pupils;

(e) Prescribe the manner by which the achievement of pupils will be measured and reported for the school, including, without limitation, the results of the pupils on the examinations administered pursuant to NRS 389.015 and 389.550;

(f) Prescribe the manner by which teachers and other licensed educational personnel will be selected and hired for the school, which must be determined and negotiated pursuant to chapter 288 of NRS;


(g) Prescribe the manner by which all other staff for the school will be selected and hired, which must be determined and negotiated pursuant to chapter 288 of NRS;

(h) Indicate whether the empowerment plan will offer an incentive pay structure for staff and a description of that pay structure, if applicable;

(i) Indicate the intended ratio of pupils to teachers at the school, designated by grade level, which must comply with NRS 388.700 or 388.720, as applicable;

(j) Provide a description of the professional development that will be offered to the teachers and other licensed educational personnel employed at the school;

(k) Prescribe the manner by which the empowerment plan will increase the involvement of parents and legal guardians of pupils enrolled in the school;

(l) Comply with the plan to improve the achievement of the pupils enrolled in the school prepared pursuant to NRS 385.357 , *the turnaround plan for the school implemented pursuant to section 2 of this act or the plan for restructuring the school implemented pursuant to section 3.5 of this act, whichever is applicable for the school;*

(m) Address the specific educational needs and concerns of the pupils who are enrolled in the school; and

(n) Set forth the calendar and schedule for the school.

2. If the empowerment plan includes an incentive pay structure, that pay structure must:

(a) Provide an incentive for all staff employed at the school;

(b) Set forth the standards that must be achieved by the pupils enrolled in the school and any other measurable objectives that must be met to be eligible for incentive pay; and

(c) Be in addition to the salary or hourly rate of pay negotiated pursuant to chapter 288 of NRS that is otherwise payable to the employee.



3. An empowerment plan may:

(a) Request a waiver from a statute contained in this title or a regulation of the State Board or the Department.

(b) Identify the services of the school district which the school wishes to receive, including, without limitation, professional development, transportation, food services and discretionary services. Upon approval of the empowerment plan, the school district may deduct from the total apportionment to the empowerment school the costs of such services.

4. For purposes of determining the budget pursuant to paragraph (b) of subsection 1, if a public school which converts to an empowerment school is a:

(a) Charter school, the amount of the budget is the amount equal to the apportionments and allowances from the State Distributive School Account pursuant to NRS 387.121 to 387.126, inclusive, and its proportionate share of any other money available from federal, state or local sources that the school or the pupils enrolled in the school are eligible to receive.

(b) Public school, other than a charter school, the empowerment team for the school shall have discretion of 90 percent of the amount of money from the state financial aid and local funds that the school district apportions for the school, without regard to any line-item specifications or specific uses determined advisable by the school district, unless the empowerment team determines that a lesser amount is necessary to carry out the empowerment plan.

Sec. 25.3. NRS 391.298 is hereby amended to read as follows:

391.298 If the board of trustees of a school district or the superintendent of schools of a school district schedules a day or days for the professional development of teachers or administrators employed by the school district:

1. The primary focus of that scheduled professional development must be to improve the achievement of the pupils enrolled in the school district, as set forth in the ~~plan~~:

(a) *Plan* to improve the achievement of pupils *enrolled in the school district* prepared pursuant to NRS 385.348 ~~or~~;

(b) *Plan to improve the achievement of pupils prepared pursuant to NRS 385.357* ~~H~~;

(c) *Turnaround plan for the school implemented pursuant to section 2 of this act; or*

(d) *Plan for restructuring the school implemented pursuant to section 3.5 of this act,*

↪ as applicable.

2. The scheduled professional development must be structured so that teachers attend professional development that is designed for the specific subject areas or grades taught by those teachers.



* S B 3 8 9 R 1 *

Sec. 25.7. NRS 391.540 is hereby amended to read as follows:

391.540 1. The governing body of each regional training program shall:

(a) Adopt a training model, taking into consideration other model programs, including, without limitation, the program used by the Geographic Alliance in Nevada.

(b) Assess the training needs of teachers and administrators who are employed by the school districts within the primary jurisdiction of the regional training program and adopt priorities of training for the program based upon the assessment of needs. The board of trustees of each such school district may submit recommendations to the appropriate governing body for the types of training that should be offered by the regional training program.

(c) In making the assessment required by paragraph (b), review the plans to improve the achievement of pupils prepared pursuant to NRS 385.348 by the school districts within the primary jurisdiction of the regional training program and, as deemed necessary by the governing body, review the ~~plans~~:

(1) *Plans* to improve the achievement of pupils prepared pursuant to NRS 385.357 ;

(2) *Turnaround plans for schools implemented pursuant to section 2 of this act; and*

(3) *Plans for restructuring schools implemented pursuant to section 3.5 of this act,*

↳ for individual schools within the primary jurisdiction of the regional training program.

(d) Prepare a 5-year plan for the regional training program, which includes, without limitation:

(1) An assessment of the training needs of teachers and administrators who are employed by the school districts within the primary jurisdiction of the regional training program; and

(2) Specific details of the training that will be offered by the regional training program for the first 2 years covered by the plan.

(e) Review the 5-year plan on an annual basis and make revisions to the plan as are necessary to serve the training needs of teachers and administrators employed by the school districts within the primary jurisdiction of the regional training program.

2. The Department, the Nevada System of Higher Education and the board of trustees of a school district may request the governing body of the regional training program that serves the school district to provide training, participate in a program or otherwise perform a service that is in addition to the duties of the regional training program that are set forth in the plan adopted pursuant to this section or otherwise required by statute. An entity may not represent that a regional training program will perform



1 certain duties or otherwise obligate the regional training program as
2 part of an application by that entity for a grant unless the entity has
3 first obtained the written confirmation of the governing body of the
4 regional training program to perform those duties or obligations.
5 The governing body of a regional training program may, but is not
6 required to, grant a request pursuant to this subsection.

7 **Sec. 26.** NRS 392.456 is hereby amended to read as follows:

8 392.456 1. The Department shall:

9 (a) Prescribe a form for use by teachers in elementary schools to
10 provide reports to parents and legal guardians of pupils pursuant to
11 this section;

12 (b) Work in consultation with the Legislative Bureau of
13 Educational Accountability and Program Evaluation, the Nevada
14 Association of School Boards, the Nevada Association of School
15 Administrators, the Nevada State Education Association and the
16 Nevada Parent Teacher Association in the development of the form;
17 and

18 (c) Make the form available in electronic format for use by
19 school districts and charter schools and, upon request, in any other
20 manner deemed reasonable by the Department.

21 2. The form must include, without limitation:

22 (a) A notice to parents and legal guardians that parental
23 involvement is important in ensuring the success of the academic
24 achievement of pupils;

25 (b) A checklist indicating whether:

26 (1) The pupil completes his homework assignments in a
27 timely manner;

28 (2) The pupil is present in the classroom when school begins
29 each day and is present for the entire school day unless his absence
30 is approved in accordance with NRS 392.130;

31 (3) The parent or legal guardian and the pupil abide by any
32 applicable rules and policies of the school and the school district;
33 and

34 (4) The pupil complies with the dress code for the school, if
35 applicable; and

36 (c) A list of the resources and services available within the
37 community to assist parents and legal guardians in addressing any
38 issues identified on the checklist.

39 3. In addition to the requirements of subsection 2, the
40 Department may prescribe additional information for inclusion on
41 the form, including, without limitation:

42 (a) A report of the participation of the parent or legal guardian,
43 including, without limitation, whether the parent or legal guardian:

44 (1) Completes forms and other documents that are required
45 by the school or school district in a timely manner;



(2) Assists in carrying out a plan to improve the pupil's academic achievement, if applicable;

(3) Attends conferences between the teacher and the parent or legal guardian, if applicable; and

(4) Attends school activities.

(b) A report of whether the parent or legal guardian ensures the health and safety of the pupil, including, without limitation, whether:

(1) Current information is on file with the school that designates each person whom the school should contact if an emergency involving the pupil occurs; and

(2) Current information is on file with the school regarding the health and safety of the pupil, such as immunization records, if applicable, and any special medical needs of the pupil.

4. A teacher at an elementary school may provide the form prescribed by the Department, including the additional information prescribed pursuant to subsection 3 if the Department has prescribed such information on the form, to a parent or legal guardian of a pupil if the teacher determines that the provision of such a report would assist in improving the academic achievement of the pupil.

5. A report provided to a parent or legal guardian pursuant to this section must not be used in a manner that:

(a) Interferes unreasonably with the personal privacy of the parent or legal guardian or the pupil;

(b) Reprimands the parent or legal guardian; or

(c) Affects the grade or report of progress given to a pupil based upon the information contained in the report.

6. The principal of each elementary school at which a teacher provides reports pursuant to this section shall provide to the support team established for the school pursuant to NRS ~~385.3721~~, [385.3745](#), if applicable, the information contained in the completed reports for consideration by the support team. The information must be provided in an aggregated format and must not disclose the identity of an individual parent, legal guardian or pupil.

Sec. 27. NRS 392.456 is hereby amended to read as follows:

392.456 1. The Department shall:

(a) Prescribe a form for use by teachers in elementary schools to provide reports to parents and legal guardians of pupils pursuant to this section;

(b) Work in consultation with the Legislative Bureau of Educational Accountability and Program Evaluation, the Nevada Association of School Boards, the Nevada Association of School Administrators, the Nevada State Education Association and the Nevada Parent Teacher Association in the development of the form; and



(c) Make the form available in electronic format for use by school districts and charter schools and, upon request, in any other manner deemed reasonable by the Department.

2. The form must include, without limitation:

(a) A notice to parents and legal guardians that parental involvement is important in ensuring the success of the academic achievement of pupils;

(b) A checklist indicating whether:

(1) The pupil completes his homework assignments in a timely manner;

(2) The pupil is present in the classroom when school begins each day and is present for the entire school day unless his absence is approved in accordance with NRS 392.130;

(3) The parent or legal guardian and the pupil abide by any applicable rules and policies of the school and the school district; and

(4) The pupil complies with the dress code for the school, if applicable; and

(c) A list of the resources and services available within the community to assist parents and legal guardians in addressing any issues identified on the checklist.

3. In addition to the requirements of subsection 2, the Department may prescribe additional information for inclusion on the form, including, without limitation:

(a) A report of the participation of the parent or legal guardian, including, without limitation, whether the parent or legal guardian:

(1) Completes forms and other documents that are required by the school or school district in a timely manner;

(2) Assists in carrying out a plan to improve the pupil's academic achievement, if applicable;

(3) Attends conferences between the teacher and the parent or legal guardian, if applicable; and

(4) Attends school activities.

(b) A report of whether the parent or legal guardian ensures the health and safety of the pupil, including, without limitation, whether:

(1) Current information is on file with the school that designates each person whom the school should contact if an emergency involving the pupil occurs; and

(2) Current information is on file with the school regarding the health and safety of the pupil, such as immunization records, if applicable, and any special medical needs of the pupil.

4. A teacher at an elementary school may provide the form prescribed by the Department, including the additional information prescribed pursuant to subsection 3 if the Department has prescribed



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1 such information on the form, to a parent or legal guardian of a
2 pupil if the teacher determines that the provision of such a report
3 would assist in improving the academic achievement of the pupil.

4 5. A report provided to a parent or legal guardian pursuant to
5 this section must not be used in a manner that:

6 (a) Interferes unreasonably with the personal privacy of the
7 parent or legal guardian or the pupil;

8 (b) Reprimands the parent or legal guardian; or

9 (c) Affects the grade or report of progress given to a pupil based
10 upon the information contained in the report.

11 6. The principal of each elementary school at which a teacher
12 provides reports pursuant to this section shall provide to the support
13 team established for the school *in accordance with the regulations*
14 *of the State Board adopted* pursuant to NRS ~~[385.3745.]~~ 385.361, if
15 applicable, the information contained in the completed reports for
16 consideration by the support team. The information must be
17 provided in an aggregated format and must not disclose the identity
18 of an individual parent, legal guardian or pupil.

19 **Sec. 28.** NRS 392.4575 is hereby amended to read as follows:

20 392.4575 1. The Department shall prescribe a form for
21 educational involvement accords to be used by all public schools in
22 this State. The educational involvement accord must comply with
23 the parental involvement policy:

24 (a) Required by the federal No Child Left Behind Act of 2001,
25 as set forth in 20 U.S.C. § 6318.

26 (b) Adopted by the State Board pursuant to NRS 392.457.

27 2. Each educational involvement accord must include, without
28 limitation:

29 (a) A description of how the parent or legal guardian will be
30 involved in the education of the pupil, including, without limitation:

31 (1) Reading to the pupil, as applicable for the grade or
32 reading level of the pupil;

33 (2) Reviewing and checking the pupil's homework; and

34 (3) Contributing 5 hours of time each school year, including,
35 without limitation, by attending school-related activities, parent-
36 teacher association meetings, parent-teacher conferences,
37 volunteering at the school and chaperoning school-sponsored
38 activities.

39 (b) The responsibilities of a pupil in a public school, including,
40 without limitation:

41 (1) Reading each day before or after school, as applicable for
42 the grade or reading level of the pupil;

43 (2) Using all school equipment and property appropriately
44 and safely;



(3) Following the directions of any adult member of the staff of the school;

(4) Completing and submitting homework in a timely manner; and

(5) Respecting himself, others and all property.

(c) The responsibilities of a public school and the administrators, teachers and other personnel employed at a school, including, without limitation:

(1) Ensuring that each pupil is provided proper instruction, supervision and interaction;

(2) Maximizing the educational and social experience of each pupil;

(3) Carrying out the professional responsibility of educators to seek the best interest of each pupil; and

(4) Making staff available to the parents and legal guardians of pupils to discuss the concerns of parents and legal guardians regarding the pupils.

3. Each educational involvement accord must be accompanied by, without limitation:

(a) Information describing how the parent or legal guardian may contact the pupil's teacher and the principal of the school in which the pupil is enrolled;

(b) The curriculum of the course or standards for the grade in which the pupil is enrolled, as applicable, including, without limitation, a calendar that indicates the dates of major examinations and the due dates of significant projects, if those dates are known by the teacher at the time that the information is distributed;

(c) The homework and grading policies of the pupil's teacher or school;

(d) Directions for finding resource materials for the course or grade in which the pupil is enrolled, as applicable;

(e) Suggestions for parents and legal guardians to assist pupils in their schoolwork at home;

(f) The dates of scheduled conferences between teachers or administrators and the parents or legal guardians of the pupil;

(g) The manner in which reports of the pupil's progress will be delivered to the parent or legal guardian and how a parent or legal guardian may request a report of progress;

(h) The classroom rules and policies;

(i) The dress code of the school, if any;

(j) The availability of assistance to parents who have limited proficiency in the English language;

(k) Information describing the availability of free and reduced-price meals, including, without limitation, information regarding school breakfast, school lunch and summer meal programs;



(l) Opportunities for parents and legal guardians to become involved in the education of their children and to volunteer for the school or class; and

(m) The code of honor relating to cheating prescribed pursuant to NRS 392.461.

4. The board of trustees of each school district shall adopt a policy providing for the development and distribution of the educational involvement accord. The policy adopted by a board of trustees must require each classroom teacher to:

(a) Distribute the educational involvement accord to the parent or legal guardian of each pupil in his class at the beginning of each school year or upon a pupil's enrollment in the class, as applicable; and

(b) Provide the parent or legal guardian with a reasonable opportunity to sign the educational involvement accord.

5. Except as otherwise provided in this subsection, the board of trustees of each school district shall ensure that the form prescribed by the Department is used for the educational involvement accord of each public school in the school district. The board of trustees of a school district may authorize the use of an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.

6. The Department and the board of trustees of each school district shall, at least once each year, review and amend their respective educational involvement accords.

7. If *a school support team is established for* an elementary school , ~~[is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years or more,]~~ the principal of the school shall provide to the support team established for the school pursuant to NRS ~~[385.3721]~~ **385.3745** information concerning the distribution of the educational involvement accord and the number of accords which were signed and returned by parents and legal guardians. The information must be provided in an aggregated format and must not disclose the identity of an individual parent, legal guardian or pupil.

Sec. 29. NRS 392.4575 is hereby amended to read as follows:

392.4575 1. The Department shall prescribe a form for educational involvement accords to be used by all public schools in this State. The educational involvement accord must comply with the parental involvement policy:

(a) Required by the federal No Child Left Behind Act of 2001, as set forth in 20 U.S.C. § 6318.

(b) Adopted by the State Board pursuant to NRS 392.457.



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2. Each educational involvement accord must include, without limitation:

(a) A description of how the parent or legal guardian will be involved in the education of the pupil, including, without limitation:

(1) Reading to the pupil, as applicable for the grade or reading level of the pupil;

(2) Reviewing and checking the pupil's homework; and

(3) Contributing 5 hours of time each school year, including, without limitation, by attending school-related activities, parent-teacher association meetings, parent-teacher conferences, volunteering at the school and chaperoning school-sponsored activities.

(b) The responsibilities of a pupil in a public school, including, without limitation:

(1) Reading each day before or after school, as applicable for the grade or reading level of the pupil;

(2) Using all school equipment and property appropriately and safely;

(3) Following the directions of any adult member of the staff of the school;

(4) Completing and submitting homework in a timely manner; and

(5) Respecting himself, others and all property.

(c) The responsibilities of a public school and the administrators, teachers and other personnel employed at a school, including, without limitation:

(1) Ensuring that each pupil is provided proper instruction, supervision and interaction;

(2) Maximizing the educational and social experience of each pupil;

(3) Carrying out the professional responsibility of educators to seek the best interest of each pupil; and

(4) Making staff available to the parents and legal guardians of pupils to discuss the concerns of parents and legal guardians regarding the pupils.

3. Each educational involvement accord must be accompanied by, without limitation:

(a) Information describing how the parent or legal guardian may contact the pupil's teacher and the principal of the school in which the pupil is enrolled;

(b) The curriculum of the course or standards for the grade in which the pupil is enrolled, as applicable, including, without limitation, a calendar that indicates the dates of major examinations and the due dates of significant projects, if those dates are known by the teacher at the time that the information is distributed;



(c) The homework and grading policies of the pupil's teacher or school;

(d) Directions for finding resource materials for the course or grade in which the pupil is enrolled, as applicable;

(e) Suggestions for parents and legal guardians to assist pupils in their schoolwork at home;

(f) The dates of scheduled conferences between teachers or administrators and the parents or legal guardians of the pupil;

(g) The manner in which reports of the pupil's progress will be delivered to the parent or legal guardian and how a parent or legal guardian may request a report of progress;

(h) The classroom rules and policies;

(i) The dress code of the school, if any;

(j) The availability of assistance to parents who have limited proficiency in the English language;

(k) Information describing the availability of free and reduced-price meals, including, without limitation, information regarding school breakfast, school lunch and summer meal programs;

(l) Opportunities for parents and legal guardians to become involved in the education of their children and to volunteer for the school or class; and

(m) The code of honor relating to cheating prescribed pursuant to NRS 392.461.

4. The board of trustees of each school district shall adopt a policy providing for the development and distribution of the educational involvement accord. The policy adopted by a board of trustees must require each classroom teacher to:

(a) Distribute the educational involvement accord to the parent or legal guardian of each pupil in his class at the beginning of each school year or upon a pupil's enrollment in the class, as applicable; and

(b) Provide the parent or legal guardian with a reasonable opportunity to sign the educational involvement accord.

5. Except as otherwise provided in this subsection, the board of trustees of each school district shall ensure that the form prescribed by the Department is used for the educational involvement accord of each public school in the school district. The board of trustees of a school district may authorize the use of an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.

6. The Department and the board of trustees of each school district shall, at least once each year, review and amend their respective educational involvement accords.



7. If a school support team is established *in accordance with the regulations of the State Board adopted pursuant to NRS 385.361* for an elementary school, the principal of the school shall provide to the support team ~~[established for the school pursuant to NRS 385.3745]~~ information concerning the distribution of the educational involvement accord and the number of accords which were signed and returned by parents and legal guardians. The information must be provided in an aggregated format and must not disclose the identity of an individual parent, legal guardian or pupil.

Sec. 30. On or before January 1, 2010, the State Board of Education shall adopt the regulations required pursuant to sections 2 and 3.5 of this act, NRS 385.361, as amended by section 6 of this act, and NRS 385.3475, as amended by section 18 of this act.

Sec. 31. 1. This section and sections 6, 9, 10, 11, 13, 15, 16, 17, 20, 22, 24, 26, 28 and 30 of this act become effective on July 1, 2009.

2. Sections 1, 2, 3.5 and 18 of this act become effective on July 1, 2009, for the purpose of adopting regulations and on July 1, 2010, for all other purposes.

3. Sections 3, 4 to 5.7, inclusive, 7, 8, 12, 14, 19, 21, 21.3, 21.7, 23, 25, 25.3, 25.7, 27 and 29 of this act become effective on July 1, 2010.

4. Sections 23 and 25 of this act expire by limitation on June 30, 2011.

