

ASSEMBLY BILL NO. 113—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON EDUCATION)

PREFILED FEBRUARY 3, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing the statewide system of accountability for public schools. (BDR 34-87)

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 the contents of the plan to improve the academic achievement of pupils prepared by the State Board of Education to require a 5-year strategic plan; revising the dates on which determinations must be made whether public schools and school districts are making adequate yearly progress; revising various other dates for the preparation and submission of reports and plans relating to the statewide system of accountability for public schools; requiring the Department of Education to revise the testing schedule for the administration of the criterion-referenced examinations in grades 3 through 8; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the State Board of Education is required to prepare a plan to improve the academic achievement of pupils enrolled in public schools in this State. (NRS 385.34691) **Section 2** of this bill revises the contents of the plan to require a 5-year strategic plan that addresses the recurring issues in improving the academic achievement of pupils, as identified by the Department of Education.

Sections 12 and 14 of this bill revise the date on which the preliminary determination must be made whether each public school and school district is making adequate yearly progress from July 1 to August 15. **Sections 12 and 14** also revise the date on which a final determination of adequate yearly progress must be made, after an opportunity for appeal based upon the preliminary determination, from August 1 to September 15.

Under existing regulations adopted by the State Board, the criterion-referenced examinations in grades 3 through 8, the results of which are used to determine



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adequate yearly progress, are administered in the spring semester on the dates prescribed by the Department of Education. (NAC 389.051) **Section 18** of this bill requires the Department to review the testing schedule which is in effect on July 1, 2011, and expeditiously revise the schedule to establish testing dates at least 30 days later in the spring semester based upon the changes made by this bill to the dates for the determination of adequate yearly progress. The Department is required to report to the Legislative Committee on Education regarding the revisions made to the testing schedule.

The remaining sections of this bill revise the dates on which certain reports and plans relating to the statewide system of accountability for public schools must be prepared and submitted to account for the changes made to the dates for the determination of adequate yearly progress.

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

Section 1. NRS 385.3469 is hereby amended to read as follows:

385.3469 1. The State Board shall prepare an annual report of accountability that includes, without limitation:

(a) Information on the achievement of all pupils based upon the results of the examinations administered pursuant to NRS 389.015 and 389.550, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(b) Except as otherwise provided in subsection 2, pupil achievement, reported separately by gender and reported separately for the following groups of pupils:

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

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

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

(5) Pupils who are migratory children, as defined by the State Board.

(c) A comparison of the achievement of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board.

(d) The percentage of all pupils who were not tested, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(e) Except as otherwise provided in subsection 2, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in paragraph (b).



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

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

(h) Information on whether each public school, including, without limitation, each charter school, has made:

(1) Adequate yearly progress, including, without limitation, the name of each public school, if any, designated as demonstrating need for improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation.

(2) Progress based upon the model adopted by the Department pursuant to NRS 385.3595, if applicable for the grade level of pupils enrolled at the school.

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

(j) The ratio of pupils to teachers in kindergarten and at each grade level for all elementary schools, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school, reported for each school district and for this State as a whole.

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

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

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

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



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

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

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

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

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

(5) For each elementary school:

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

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

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

(m) The total statewide expenditure per pupil. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board



1 shall use that statewide program in complying with this paragraph.
2 If a statewide program is not available, the State Board shall use the
3 Department's own financial analysis program in complying with
4 this paragraph.

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

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

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

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

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

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

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

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

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

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

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

43 (v) The transiency rate of pupils, reported for each school
44 district, including, without limitation, each charter school in the
45 district, and for this State as a whole. For the purposes of this



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1 paragraph, a pupil is not a transient if the pupil is transferred to a
2 different school within the school district as a result of a change in
3 the zone of attendance by the board of trustees of the school district
4 pursuant to NRS 388.040.

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

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

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

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

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

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

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

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

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

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

33 (2) An adjusted diploma.

34 (3) A certificate of attendance.

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

39 (cc) The number of habitual truants who are reported to a school
40 police officer or local law enforcement agency pursuant to
41 paragraph (a) of subsection 2 of NRS 392.144 and the number of
42 habitual truants who are referred to an advisory board to review
43 school attendance pursuant to paragraph (b) of subsection 2 of NRS
44 392.144, reported for each school district, including, without



1 limitation, each charter school in the district, and for this State as a
2 whole.

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

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

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

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

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

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

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

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

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

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

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

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



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

3. The annual report of accountability must:

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

(b) Be prepared in a concise manner; and

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

4. On or before ~~September 1~~ *October 15* of each year, the State Board shall:

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

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

(1) Governor;

(2) Committee;

(3) Bureau;

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

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

(6) Governing body of each charter school.

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

6. As used in this section:

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

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

Sec. 2. NRS 385.34691 is hereby amended to read as follows:

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

(a) Must be prepared in consultation with:

(1) Employees of the Department;



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

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

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516, appointed by the Council; and

(b) May be prepared in consultation with:

(1) Representatives of institutions of higher education;

(2) Representatives of regional educational laboratories;

(3) Representatives of outside consultant groups;

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

(5) The Bureau; and

(6) Other persons who the State Board determines are appropriate.

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

(a) A review and analysis of the data upon which the report required pursuant to NRS 385.3469 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 common among the school districts or charter schools in this State, as 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 set forth in NRS 389.018.

(d) Strategies to improve the academic achievement of pupils enrolled in public schools in this State, 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 districts;

(4) Manage effectively the discipline of pupils; and

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

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

(1) The requirements for admission to an institution of higher education and the opportunities for financial aid;

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

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

(f) An identification, by category, of the employees of the Department who are responsible for ensuring that each provision of the plan is carried out effectively.

(g) For each provision of the plan, a timeline for carrying out that provision, including, without limitation, a timeline for monitoring whether the provision is carried out effectively.

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

(i) Strategies to improve the allocation of resources from this State, by program and by school district, in a manner that will improve the academic achievement of pupils. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

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



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(k) A summary of the effectiveness of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

(l) A 5-year strategic plan which identifies the recurring issues in improving the achievement and proficiency of pupils in this State and which establishes strategic goals to address those issues. The 5-year strategic plan must be:

(1) Based upon the data from previous years which is collected by the Department for the plan developed pursuant to this section; and

(2) Designed to track the progress made in achieving the strategic goals established by the Department.

3. The State Board shall:

(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 public schools in this State.

4. On or before ~~December 15~~ **January 31** of each year, the State Board shall submit the plan or the revised plan, as applicable, to the:

(a) Governor;

(b) Committee;

(c) Bureau;

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

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

(f) Board of trustees of each school district; and

(g) Governing body of each charter school.

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

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

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

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

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

(3) With disabilities;

(4) Who are limited English proficient; and



- 1 (5) Who are migratory children, as defined by the State
2 Board;
- 3 (b) The average daily attendance of pupils, reported separately
4 for the groups identified in paragraph (a);
- 5 (c) The transiency rate of pupils;
- 6 (d) The percentage of pupils who are habitual truants;
- 7 (e) The percentage of pupils who are deemed habitual
8 disciplinary problems pursuant to NRS 392.4655;
- 9 (f) The number of incidents resulting in suspension or expulsion
10 for:
- 11 (1) Violence to other pupils or to school personnel;
- 12 (2) Possession of a weapon;
- 13 (3) Distribution of a controlled substance;
- 14 (4) Possession or use of a controlled substance; and
- 15 (5) Possession or use of alcohol;
- 16 (g) For kindergarten through grade 8, the number and
17 percentage of pupils who are retained in the same grade;
- 18 (h) For grades 9 to 12, inclusive, the number and percentage of
19 pupils who are deficient in the number of credits required for
20 promotion to the next grade or graduation from high school;
- 21 (i) The pupil-teacher ratio for kindergarten and grades 1 to 8,
22 inclusive;
- 23 (j) The average class size for the subject area of mathematics,
24 English, science and social studies in schools where pupils rotate to
25 different teachers for different subjects;
- 26 (k) The number and percentage of pupils who graduated from
27 high school;
- 28 (l) The number and percentage of pupils who received a:
- 29 (1) Standard diploma;
- 30 (2) Adult diploma;
- 31 (3) Adjusted diploma; and
- 32 (4) Certificate of attendance;
- 33 (m) The number and percentage of pupils who graduated from
34 high school and enrolled in remedial courses at the Nevada System
35 of Higher Education;
- 36 (n) Per pupil expenditures;
- 37 (o) Information on the professional qualifications of teachers;
- 38 (p) The average daily attendance of teachers and licensure
39 information;
- 40 (q) Information on the adequate yearly progress of the schools
41 and school districts;
- 42 (r) Pupil achievement based upon the:
- 43 (1) Examinations administered pursuant to NRS 389.550,
44 including, without limitation, whether public schools have made



1 progress based upon the model adopted by the Department pursuant
2 to NRS 385.3595; and

3 (2) High school proficiency examination;

4 (s) To the extent practicable, pupil achievement based upon the
5 examinations administered pursuant to NRS 389.015 for grades 4, 7
6 and 10; and

7 (t) Other information required by the Superintendent of Public
8 Instruction in consultation with the Bureau.

9 2. The summary prepared pursuant to subsection 1 must:

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

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

13 (c) Be presented in an understandable and uniform format and,
14 to the extent practicable, provided in a language that parents will
15 likely understand.

16 3. On or before ~~September 7~~ **October 20** of each year, the
17 State Board shall:

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

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

22 (1) Governor;

23 (2) Committee;

24 (3) Bureau;

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

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

27 (6) Governing body of each charter school.

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

38 5. The Department shall, in consultation with the Bureau and
39 the school districts, prescribe a form for the summary required by
40 this section.

41 **Sec. 4.** NRS 385.347 is hereby amended to read as follows:

42 385.347 1. The board of trustees of each school district in
43 this State, in cooperation with associations recognized by the State
44 Board as representing licensed educational personnel in the district,
45 shall adopt a program providing for the accountability of the school



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1 district to the residents of the district and to the State Board for the
2 quality of the schools and the educational achievement of the pupils
3 in the district, including, without limitation, pupils enrolled in
4 charter schools in the school district. The board of trustees of each
5 school district shall report the information required by subsection 2
6 for each charter school that is located within the school district,
7 regardless of the sponsor of the charter school. The information for
8 charter schools must be reported separately and must denote the
9 charter schools sponsored by the school district, the charter schools
10 sponsored by the State Board and the charter schools sponsored by a
11 college or university within the Nevada System of Higher
12 Education.

13 2. The board of trustees of each school district shall, on or
14 before ~~August 15~~ **September 30** of each year, prepare an annual
15 report of accountability concerning:

16 (a) The educational goals and objectives of the school district.

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

26 (1) The number of pupils who took the examinations.

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

31 (3) Except as otherwise provided in this paragraph, pupil
32 achievement, reported separately by gender and reported separately
33 for the following groups of pupils:

34 (I) Pupils who are economically disadvantaged, as
35 defined by the State Board;

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

38 (III) Pupils with disabilities;

39 (IV) Pupils who are limited English proficient; and

40 (V) Pupils who are migratory children, as defined by the
41 State Board.

42 (4) A comparison of the achievement of pupils in each group
43 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
44 annual measurable objectives of the State Board.

45 (5) The percentage of pupils who were not tested.



(6) Except as otherwise provided in this paragraph, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in subparagraph (3).

(7) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

(8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools in the district, with the results of pupils throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(9) For each school in the district, including, without limitation, each charter school in the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(10) Information on whether each school in the district, including, without limitation, each charter school in the district, has made progress based upon the model adopted by the Department pursuant to NRS 385.3595.

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

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole, including, without limitation, each charter school in the district, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school in the district and the district as a whole, including, without limitation, each charter school in the district.

(d) Information on the professional qualifications of teachers employed by each school in the district and the district as a whole, including, without limitation, each charter school in the district. The information must include, without limitation:

(1) The percentage of teachers who are:



- 1 (I) Providing instruction pursuant to NRS 391.125;
2 (II) Providing instruction pursuant to a waiver of the
3 requirements for licensure for the grade level or subject area in
4 which the teachers are employed; or
5 (III) Otherwise providing instruction without an
6 endorsement for the subject area in which the teachers are
7 employed;
8 (2) The percentage of classes in the core academic subjects,
9 as set forth in NRS 389.018, that are not taught by highly qualified
10 teachers;
11 (3) The percentage of classes in the core academic subjects,
12 as set forth in NRS 389.018, that are not taught by highly qualified
13 teachers, in the aggregate and disaggregated by high-poverty
14 compared to low-poverty schools, which for the purposes of this
15 subparagraph means schools in the top quartile of poverty and the
16 bottom quartile of poverty in this State;
17 (4) For each middle school, junior high school and high
18 school:
19 (I) ~~{On and after July 1, 2005, the}~~ **The** number of
20 persons employed as substitute teachers for 20 consecutive days or
21 more in the same classroom or assignment, designated as long-term
22 substitute teachers, including the total number of days long-term
23 substitute teachers were employed at each school, identified by
24 grade level and subject area; and
25 (II) ~~{On and after July 1, 2006, the}~~ **The** number of
26 persons employed as substitute teachers for less than 20 consecutive
27 days, designated as short-term substitute teachers, including the total
28 number of days short-term substitute teachers were employed at
29 each school, identified by grade level and subject area; and
30 (5) For each elementary school:
31 (I) ~~{On and after July 1, 2005, the}~~ **The** number of
32 persons employed as substitute teachers for 20 consecutive days or
33 more in the same classroom or assignment, designated as long-term
34 substitute teachers, including the total number of days long-term
35 substitute teachers were employed at each school, identified by
36 grade level; and
37 (II) ~~{On and after July 1, 2006, the}~~ **The** number of
38 persons employed as substitute teachers for less than 20 consecutive
39 days, designated as short-term substitute teachers, including the total
40 number of days short-term substitute teachers were employed at
41 each school, identified by grade level.
42 (e) The total expenditure per pupil for each school in the district
43 and the district as a whole, including, without limitation, each
44 charter school in the district. If this State has a financial analysis
45 program that is designed to track educational expenditures and



1 revenues to individual schools, each school district shall use that
2 statewide program in complying with this paragraph. If a statewide
3 program is not available, each school district shall use its own
4 financial analysis program in complying with this paragraph.

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

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

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

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

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

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

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

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

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

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

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

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

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

43 (2) The participation of parents in the educational process
44 and activities relating to the school district and each school,



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1 including, without limitation, the existence of parent organizations
2 and school advisory committees.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

(2) An adjusted diploma.

(3) A certificate of attendance.

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

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

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

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

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

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

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

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



* A B 1 1 3 *

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

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

(bb) For each high school in the district, including, without limitation, each charter school that operates as a high school, information that provides a comparison of the rate of graduation of pupils enrolled in the high school with the rate of graduation of pupils throughout the district and throughout this State. The information required by this paragraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

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

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

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

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

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

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

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

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

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

3. The records of attendance maintained by a school for purposes of paragraph (i) of subsection 2 must include the number



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1 of teachers who are in attendance at school and the number of
2 teachers who are absent from school. A teacher shall be deemed in
3 attendance if the teacher is excused from being present in the
4 classroom by the school in which the teacher is employed for one of
5 the following reasons:

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

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

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

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

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

17 5. The Superintendent of Public Instruction shall:

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

20 (b) Provide statistical information and technical assistance to the
21 school districts to ensure that the reports provide comparable
22 information with respect to each school in each district and among
23 the districts throughout this State.

24 (c) Consult with a representative of the:

25 (1) Nevada State Education Association;

26 (2) Nevada Association of School Boards;

27 (3) Nevada Association of School Administrators;

28 (4) Nevada Parent Teacher Association;

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

30 and

31 (6) Legislative Counsel Bureau,

32 ➔ concerning the program and consider any advice or
33 recommendations submitted by the representatives with respect to
34 the program.

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

40 7. On or before ~~[August 15]~~ **September 30** of each year, the
41 board of trustees of each school district shall submit to each
42 advisory board to review school attendance created in the county
43 pursuant to NRS 392.126 the information required in paragraph (g)
44 of subsection 2.



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1 8. On or before ~~August 15~~ *September 30* of each year, the
2 board of trustees of each school district shall:

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

- 8 (1) Governor;
9 (2) State Board;
10 (3) Department;
11 (4) Committee; and
12 (5) Bureau.

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

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

28 10. As used in this section:

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

31 (b) "Paraprofessional" has the meaning ascribed to it in
32 NRS 391.008.

33 **Sec. 5.** NRS 385.348 is hereby amended to read as follows:

34 385.348 1. The board of trustees of each school district shall,
35 in consultation with the employees of the school district, prepare a
36 plan to improve the achievement of pupils enrolled in the school
37 district, excluding pupils who are enrolled in charter schools located
38 in the school district. If the school district is a Title I school district
39 designated as demonstrating need for improvement pursuant to NRS
40 385.377, the plan must also be prepared in consultation with parents
41 and guardians of pupils enrolled in the school district and other
42 persons who the board of trustees determines are appropriate.

43 2. Except as otherwise provided in this subsection, the plan
44 must include the items set forth in 20 U.S.C. § 6316(c)(7) and the
45 regulations adopted pursuant thereto. If a school district has not



* A B 1 1 3 *

1 been designated as demonstrating need for improvement pursuant to
2 NRS 385.377, the board of trustees of the school district is not
3 required to include those items set forth in 20 U.S.C. § 6316(c)(7)
4 and the regulations adopted pursuant thereto that directly relate to
5 the status of a school district as needing improvement.

6 3. In addition to the requirements of subsection 2, a plan to
7 improve the achievement of pupils enrolled in a school district must
8 include:

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

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

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

18 (d) Strategies to improve the academic achievement of pupils
19 enrolled in the school district, including, without limitation,
20 strategies to:

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

23 (I) The curriculum appropriate to improve achievement;

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

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

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

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

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

36 (5) Enhance the professional development offered for the
37 teachers and administrators employed by the school district to
38 include the activities set forth in 20 U.S.C. § 7801(34) and to
39 address the specific needs of the pupils enrolled in the school
40 district, as deemed appropriate by the board of trustees of the school
41 district.

42 (e) An identification, by category, of the employees of the
43 school district who are responsible for ensuring that each provision
44 of the plan is carried out effectively.



(f) 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.

(g) For each provision of the plan, a timeline for carrying out that provision, including, without limitation, a timeline for monitoring whether the provision is carried out effectively.

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

(i) Strategies to improve the allocation of resources from the school district, by program and by school, in a manner that will improve the academic achievement of pupils. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

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

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

(l) An identification of the programs, practices and strategies that are used throughout the school district and by the schools within the school district that have proven successful in improving the achievement and proficiency of pupils, including, without limitation:

(1) An identification of each school that carries out such a program, practice or strategy;

(2) An indication of which programs, practices and strategies are carried out throughout the school district and which programs, practices and strategies are carried out by individual schools;

(3) The extent to which the programs, practices and strategies include methods to improve the achievement and proficiency of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361; and



(4) A description of how the school district disseminates information concerning the successful programs, practices and strategies to all schools within the school district.

4. The board of trustees of each school district shall:

(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 district.

5. On or before ~~December 15~~ **January 31** of each year, the board of trustees of each school district shall submit the plan or the revised plan, as applicable, to the:

(a) Superintendent of Public Instruction;

(b) Governor;

(c) State Board;

(d) Department;

(e) Committee; and

(f) Bureau.

Sec. 6. NRS 385.349 is hereby amended to read as follows:

385.349 1. The board of trustees of each school district shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.347 on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:

(a) The information set forth in subsection 1 of NRS 385.34692, reported for the school district as a whole and for each school within the school district;

(b) Information on the involvement of parents and legal guardians in the education of their children; and

(c) Other information required by the Superintendent of Public Instruction in consultation with the Bureau.

2. The summary prepared pursuant to subsection 1 must:

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

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

3. The Department shall, in consultation with the Bureau and the school districts, prescribe a form that contains the basic information required by subsection 1. The board of trustees of a school district may use 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.



1 4. On or before ~~September 7~~ **October 20** of each year, the
2 board of trustees of each school district shall:

3 (a) Submit the summary in an electronic format to the:

- 4 (1) Governor;
5 (2) State Board;
6 (3) Department;
7 (4) Committee;
8 (5) Bureau; and
9 (6) Schools within the school district.

10 (b) Provide for the public dissemination of the summary by
11 posting a copy of the summary on the Internet website maintained
12 by the school district, if any. If a school district does not maintain a
13 website, the district shall otherwise provide for public dissemination
14 of the summary. The board of trustees of each school district shall
15 ensure that the parents and guardians of pupils enrolled in the school
16 district have sufficient information concerning the availability of the
17 summary, including, without limitation, information that describes
18 how to access the summary on the Internet website maintained by
19 the school district, if any. Upon the request of a parent or legal
20 guardian, the school district shall provide the parent or legal
21 guardian with a written copy of the summary.

22 5. The board of trustees of each school district shall report the
23 information required by this section for each charter school that is
24 located within the school district, regardless of the sponsor of the
25 charter school. The information for charter schools must be reported
26 separately and must denote the charter schools sponsored by the
27 school district, the charter schools sponsored by the State Board and
28 the charter schools sponsored by a college or university within the
29 Nevada System of Higher Education.

30 **Sec. 7.** NRS 385.357 is hereby amended to read as follows:

31 385.357 1. Except as otherwise provided in NRS 385.37603
32 and 385.37607, the principal of each school, including, without
33 limitation, each charter school, shall, in consultation with the
34 employees of the school, prepare a plan to improve the achievement
35 of the pupils enrolled in the school.

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

37 (a) A review and analysis of the data pertaining to the school
38 upon which the report required pursuant to subsection 2 of NRS
39 385.347 is based and a review and analysis of any data that is more
40 recent than the data upon which the report is based.

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

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



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(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.

(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.



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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 385.36127. 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~~ **December 15** 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 and the requirements of this section. The superintendent of schools of the school district or the governing body, as applicable, may condition approval of the plan or the revised plan, as applicable, in the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the regulations adopted pursuant thereto. The State Board shall prescribe the requirements for the process of peer review, including, without limitation, the qualifications of persons who may serve as peer reviewers.

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



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9. On or before ~~December 15~~ *January 31* of each year, the principal of each school or the support team established for the school, as applicable, shall submit the final plan or the final revised plan, as applicable, to the:

- (a) Superintendent of Public Instruction;
- (b) Governor;
- (c) State Board;
- (d) Department;
- (e) Committee;
- (f) Bureau; and
- (g) Board of trustees of the school district in which the school is located.

10. A plan for the improvement of a school must be carried out expeditiously, but not later than ~~January 1~~ *February 15* after approval of the plan pursuant to subsection 7 or 8, as applicable.

Sec. 8. NRS 385.358 is hereby amended to read as follows:

385.358 1. The principal of each public school, including, without limitation, each charter school, shall prepare a summary of accountability information on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:

(a) The information set forth in subsection 1 of NRS 385.34692, reported only for the school;

(b) Information on the involvement of parents and legal guardians in the education of their children; and

(c) Such other information as is directed by the Superintendent of Public Instruction in consultation with the Bureau.

2. The summary prepared pursuant to subsection 1 must be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents will likely understand.

3. The Department shall, in consultation with the Bureau and the school districts, prescribe a form that contains the basic information required by subsection 1. The principal of a school may use 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.

4. On or before ~~September 7~~ *October 20* of each year:

(a) The principal of each public school shall submit the summary in electronic format to the:

- (1) Department;
- (2) Bureau; and
- (3) Board of trustees of the school district in which the school is located.



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(b) The school district in which the school is located shall ensure that the summary is posted on the Internet website maintained by the school, if any, or the Internet website maintained by the school district, if any. If the summary is not posted on the website of the school or the school district, the school district shall otherwise provide for public dissemination of the summary.

(c) The principal of each public school shall ensure that the parents and legal guardians of the pupils enrolled in the school have sufficient information concerning the availability of the summary, including, without limitation, information that describes how to access the summary on the Internet website, if any, and how a parent or guardian may otherwise access the summary.

(d) The principal of each public school shall provide a written copy of the summary to each parent and legal guardian of a pupil enrolled in the school.

Sec. 9. NRS 385.36127 is hereby amended to read as follows:

385.36127 1. If a school support team is established pursuant to the regulations adopted by the State Board pursuant to NRS 385.361, the support team 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, the turnaround plan for the school or the plan for restructuring the school, whichever is applicable for 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



1 charter school sponsored by a college or university within the
2 Nevada System of Higher Education, the support team shall make
3 the recommendations to the sponsor, the State Board and the
4 Department.

5 (h) In accordance with its findings pursuant to this section and
6 NRS 385.36129, submit, on or before ~~November 1,~~ **December 15,**
7 written revisions to the most recent plan to improve the achievement
8 of the school's pupils for approval pursuant to NRS 385.357, or
9 submit, on or before May 1, written recommendations for revisions
10 to the turnaround plan for the school implemented pursuant to NRS
11 385.37603 or the plan for restructuring the school implemented
12 pursuant to NRS 385.37607, whichever is applicable for the school.
13 The written revisions or recommendations, as applicable, must:

14 (1) Comply with NRS 385.357 if the school has
15 demonstrated need for improvement for less than 5 years or with
16 NRS 385.37603 or 385.37607, as applicable, if the school has
17 demonstrated need for improvement for 5 or more consecutive
18 years;

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

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

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

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

29 (II) Specific;

30 (III) Measurable; and

31 (IV) Conducive to reliable evaluation;

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

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

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

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



1 Education, that institution shall assist the school with carrying out
2 and monitoring the plan for improvement of the school.

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

5 (1) Submit the progress report to the Department.

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

8 (k) In addition to the requirements of this section, if the support
9 team is established for a Title I school, carry out the requirements of
10 20 U.S.C. § 6317(a)(5).

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

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

19 **Sec. 10.** NRS 385.36129 is hereby amended to read as
20 follows:

21 385.36129 1. In addition to the duties prescribed in NRS
22 385.36127, a support team established for a school shall prepare an
23 annual written report that includes:

24 (a) Information concerning the most recent plan to improve the
25 achievement of the school's pupils, the turnaround plan for the
26 school or the plan for restructuring the school, whichever is
27 applicable for the school, including, without limitation, an
28 evaluation of:

29 (1) The appropriateness of the plan for the school; and

30 (2) Whether the school has achieved the goals and objectives
31 set forth in the plan;

32 (b) The written revisions to the plan to improve the achievement
33 of the school's pupils or written recommendations for revisions to
34 the turnaround plan for the school or the plan for restructuring the
35 school, whichever is applicable for the school, submitted by the
36 support team pursuant to NRS 385.36127;

37 (c) A summary of each program for remediation, if any,
38 purchased for the school with money that is available from the
39 Federal Government, this state and the school district in which the
40 school is located, including, without limitation:

41 (1) The name of the program;

42 (2) The date on which the program was purchased and the
43 date on which the program was carried out by the school;

44 (3) The percentage of personnel at the school who were
45 trained regarding the use of the program;



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(4) The satisfaction of the personnel at the school with the program; and

(5) An evaluation of whether the program has improved the academic achievement of the pupils enrolled in the school who participated in the program;

(d) An analysis of the problems and factors at the school which contributed to the designation of the school as demonstrating need for improvement, including, without limitation, issues relating to:

(1) The financial resources of the school;

(2) The administrative and educational personnel of the school;

(3) The curriculum of the school;

(4) The facilities available at the school, including the availability and accessibility of educational technology; and

(5) Any other factors that the support team believes contributed to the designation of the school as demonstrating need for improvement; and

(e) Other information concerning the school, including, without limitation:

(1) The results of the pupils who are enrolled in the school on the examinations that are administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable;

(2) Records of the attendance and truancy of pupils who are enrolled in the school;

(3) The transiency rate of pupils who are enrolled in the school;

(4) A description of the number of years that each teacher has provided instruction at the school and the rate of turnover of teachers and other educational personnel employed at the school;

(5) A description of the participation of parents and legal guardians in the educational process and other activities relating to the school;

(6) A description of each source of money for the remediation of pupils who are enrolled in the school; and

(7) A description of the disciplinary problems of the pupils who are enrolled in the school, including, without limitation, the information contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS 385.347.

2. On or before ~~November 1,~~ **December 15**, the support team shall submit a copy of the final written report to the:

(a) Principal of the school;

(b) Board of trustees of the school district in which the school is located;

(c) Superintendent of schools of the school district in which the school is located;



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(d) Department; and

(e) Bureau.

➔ The support team shall make the written report available, upon request, to each parent or legal guardian of a pupil who is enrolled in the school.

Sec. 11. NRS 385.3613 is hereby amended to read as follows:

385.3613 1. Except as otherwise provided in subsection 2, on or before ~~June 15~~ **July 31** of each year, the Department shall determine whether each public school is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361.

2. On or before ~~June 30~~ **July 31** of each year, the Department shall determine whether each public school that operates on a schedule other than a traditional 9-month schedule is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361.

3. The determination pursuant to subsection 1 or 2, as applicable, for a public school, including, without limitation, a charter school sponsored by the board of trustees of the school district, must be made in consultation with the board of trustees of the school district in which the public school is located. If a charter school is sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall make a determination for the charter school in consultation with the State Board or the institution that sponsors the charter school, as applicable. The determination made for each school must be based only upon the information and data for those pupils who are enrolled in the school for a full academic year. On or before ~~June 15 or June 30~~ **July 31** of each year, ~~as applicable,~~ the Department shall transmit:

(a) Except as otherwise provided in paragraph (b) or (c), the determination made for each public school to the board of trustees of the school district in which the public school is located.

(b) To the State Board the determination made for each charter school that is sponsored by the State Board.

(c) The determination made for the charter school to the institution that sponsors the charter school if a charter school is sponsored by a college or university within the Nevada System of Higher Education.

4. Except as otherwise provided in this subsection, the Department shall determine that a public school has failed to make adequate yearly progress if any group identified in paragraph (b) of subsection 1 of NRS 385.361 does not satisfy the annual measurable objectives established by the State Board pursuant to that section. To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant thereto, the State Board shall prescribe by



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1 regulation the conditions under which a school shall be deemed to
2 have made adequate yearly progress even though a group identified
3 in paragraph (b) of subsection 1 of NRS 385.361 did not satisfy the
4 annual measurable objectives of the State Board.

5 5. In addition to the provisions of subsection 4, the Department
6 shall determine that a public school has failed to make adequate
7 yearly progress if:

8 (a) The number of pupils enrolled in the school who took the
9 examinations administered pursuant to NRS 389.550 or the high
10 school proficiency examination, as applicable, is less than 95
11 percent of all pupils enrolled in the school who were required to
12 take the examinations; or

13 (b) Except as otherwise provided in subsection 6, for each group
14 of pupils identified in paragraph (b) of subsection 1 of NRS
15 385.361, the number of pupils in the group enrolled in the school
16 who took the examinations administered pursuant to NRS 389.550
17 or the high school proficiency examination, as applicable, is less
18 than 95 percent of all pupils in that group enrolled in the school who
19 were required to take the examinations.

20 6. If the number of pupils in a particular group who are
21 enrolled in a public school is insufficient to yield statistically
22 reliable information:

23 (a) The Department shall not determine that the school has
24 failed to make adequate yearly progress pursuant to paragraph (b) of
25 subsection 5 based solely upon that particular group.

26 (b) The pupils in such a group must be included in the overall
27 count of pupils enrolled in the school who took the examinations.

28 ➔ The State Board shall prescribe the mechanism for determining
29 the number of pupils that must be in a group for that group to yield
30 statistically reliable information.

31 7. If an irregularity in testing administration or an irregularity
32 in testing security occurs at a school and the irregularity invalidates
33 the test scores of pupils, those test scores must be included in the
34 scores of pupils reported for the school, the attendance of those
35 pupils must be counted towards the total number of pupils who took
36 the examinations and the pupils must be included in the total
37 number of pupils who were required to take the examinations.

38 8. As used in this section:

39 (a) "Irregularity in testing administration" has the meaning
40 ascribed to it in NRS 389.604.

41 (b) "Irregularity in testing security" has the meaning ascribed to
42 it in NRS 389.608.

43 **Sec. 12.** NRS 385.366 is hereby amended to read as follows:

44 385.366 1. Based upon the information received from the
45 Department pursuant to NRS 385.3613, the board of trustees of each



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1 school district shall, on or before ~~July 1~~ **August 15** of each year,
2 issue a preliminary designation for each public school in the school
3 district in accordance with the criteria set forth in NRS 385.3623,
4 excluding charter schools sponsored by the State Board or by a
5 college or university within the Nevada System of Higher
6 Education. The board of trustees shall make preliminary
7 designations for all charter schools that are sponsored by the board
8 of trustees. The Department shall make preliminary designations for
9 all charter schools that are sponsored by the State Board and all
10 charter schools sponsored by a college or university within the
11 Nevada System of Higher Education. The initial designation of a
12 school as demonstrating need for improvement must be based upon
13 2 consecutive years of data and information for that school.

14 2. Before making a final designation for a school, the board of
15 trustees of the school district or the Department, as applicable, shall
16 provide the school an opportunity to review the data upon which the
17 preliminary designation is based and to present evidence in the
18 manner set forth in 20 U.S.C. § 6316(b)(2) and the regulations
19 adopted pursuant thereto. If the school is a public school of the
20 school district or a charter school sponsored by the board of trustees,
21 the board of trustees of the school district shall, in consultation with
22 the Department, make a final determination concerning the
23 designation for the school on ~~{August 1.}~~ **September 15**. If the
24 school is a charter school sponsored by the State Board or by a
25 college or university within the Nevada System of Higher
26 Education, the Department shall make a final determination
27 concerning the designation for the school on ~~{August 1.}~~
28 **September 15**.

29 3. On or before ~~{August 1}~~ **September 15** of each year, the
30 Department shall provide written notice of the determinations made
31 pursuant to NRS 385.3613 and the final designations made pursuant
32 to this section as follows:

33 (a) The determinations and final designations made for all
34 schools in this State to the:

- 35 (1) Governor;
36 (2) State Board;
37 (3) Committee; and
38 (4) Bureau.

39 (b) The determinations and final designations made for all
40 schools within a school district to the:

- 41 (1) Superintendent of schools of the school district; and
42 (2) Board of trustees of the school district.

43 (c) The determination and final designation made for each
44 school to the principal of the school.



Sec. 13. NRS 385.3762 is hereby amended to read as follows:

385.3762 1. On or before ~~July 1~~ **August 15** of each year, the Department shall determine whether each school district is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361. The pupils who are enrolled in a charter school, if any, located within a school district must not be included in the determination made for that school district. The determination made for each school district must be based only upon the information and data for those pupils who were enrolled in the school district for a full academic year, regardless of whether those pupils attended more than one school within the school district for that academic year.

2. Except as otherwise provided in this subsection, the Department shall determine that a school district has failed to make adequate yearly progress if any group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school district does not satisfy the annual measurable objectives established by the State Board pursuant to that section. To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant thereto, the State Board shall prescribe by regulation the conditions under which a school district shall be deemed to have made adequate yearly progress even though a group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school district did not satisfy the annual measurable objectives of the State Board.

3. In addition to the provisions of subsection 2, the Department shall determine that a school district has failed to make adequate yearly progress if:

(a) The number of pupils enrolled in the school district who took the examinations administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable, is less than 95 percent of all pupils enrolled in the school district who were required to take the examinations; or

(b) Except as otherwise provided in subsection 4, for each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361, the number of pupils enrolled in the school district who took the examinations administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable, is less than 95 percent of all pupils in the group who were required to take the examinations.

4. If the number of pupils in a particular group who are enrolled in a school district is insufficient to yield statistically reliable information:



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(a) The Department shall not determine that the school district has failed to make adequate yearly progress pursuant to paragraph (b) of subsection 3 based solely upon that particular group.

(b) The pupils in such a group must be included in the overall count of pupils enrolled in the school district who took the examinations.

↪ The State Board shall prescribe the mechanism for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

Sec. 14. NRS 385.3771 is hereby amended to read as follows:

385.3771 1. The Department shall, on or before ~~July 1~~ **August 15** of each year, issue a preliminary designation for each school district pursuant to NRS 385.377. The initial designation of a school district as demonstrating need for improvement must be based upon 2 consecutive years of data and information for that school district.

2. Before making a final designation for a school district, the Department shall provide the school district an opportunity to review the data upon which the preliminary designation is based and to present evidence in the manner set forth in 20 U.S.C. § 6316(c)(5) and the regulations adopted pursuant thereto. Not later than ~~August 1~~ **September 15**, the Department shall make a final determination concerning the designation of the school district.

3. On or before ~~August 1~~ **September 15** of each year, the Department shall provide written notice of the determinations made pursuant to NRS 385.3762 and the final designations made pursuant to this section as follows:

(a) The determinations and final designations made for all school districts in this State to the:

- (1) Governor;
- (2) State Board;
- (3) Committee; and
- (4) Bureau.

(b) The determination and final designation made for a school district to the:

- (1) Superintendent of schools of the school district; and
- (2) Board of trustees of the school district.

4. On or before ~~August 1~~ **September 15** of each year, the Department shall make public the results of the review of school districts pursuant to this section and disseminate the results to school personnel, parents and guardians, pupils and members of the general public. The publication and distribution must be made in the manner set forth in 20 U.S.C. § 6316(c)(1) and the regulations adopted pursuant thereto.



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Sec. 15. 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, the turnaround plan for the school implemented pursuant to NRS 385.37603 or the plan for restructuring the school implemented pursuant to NRS 385.37607, 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, 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 progress. A public school or a consortium of public schools selected for participation may be approved by the Commission for participation for a period not to exceed 2 years, but may reapply.

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



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(e) Establish guidelines for the review, evaluation and approval of applications for grants of money from the Account, including, without limitation, consideration of the list of priorities of public schools provided by the Department pursuant to subsection 6. To ensure consistency in the review, evaluation and approval of applications, if the guidelines authorize the review and evaluation of applications by less than the entire membership of the Commission, money must not be allocated from the Account for a grant until the entire membership of the Commission has reviewed and approved the application for the grant.

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

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

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

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

(h) Allocate money to public schools and consortiums of public schools from the Account. Allocations must be distributed not later than ~~August 15~~ **September 30** of each year.

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

(1) The achievement of pupils enrolled at each school that received money from the allocation based upon measurable criteria identified in, as applicable, the:

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

(II) Turnaround plan for the school implemented pursuant to NRS 385.37603; or

(III) Plan for restructuring the school implemented pursuant to NRS 385.37607;

(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 this section.

3. An application submitted pursuant to this section must include a written statement which:

(a) Indicates whether the public school or consortium of public schools is submitting the application for the continuation of an existing program or for the establishment of a new program; and

(b) Identifies all other sources of money that the public school or consortium of public schools has requested or received for the continuation or establishment of:

(1) The program for which the application is submitted; or

(2) A substantially similar program.

4. 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.

5. If a public school or consortium of public schools 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 audit conducted pursuant to subsection 4 of NRS 385.3789 or 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.

6. On or before ~~July 1~~ August 15 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



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(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,

➤ for consideration by the Commission in its development of procedures for the applications.

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

(a) Is based directly upon, as applicable, the:

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

(2) Turnaround plan for the school implemented pursuant to NRS 385.37603; or

(3) Plan for restructuring the school implemented pursuant to NRS 385.37607;

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

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

➤ A school district may make recommendations to the individual schools and consortiums of public schools. Such schools and consortiums of public schools are not required to follow the recommendations of a school district.

8. In carrying out the requirements of this section, the Commission shall review and consider the programs of remedial study adopted by the Department pursuant to NRS 385.389, the list of approved providers of supplemental educational services maintained by the Department pursuant to NRS 385.384 and the recommendations submitted by the Committee pursuant to NRS 218E.615 concerning programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

9. The Commission shall not award a grant of money from the Account for a program of remedial study that is available commercially unless that program has been adopted by the Department pursuant to NRS 385.389.

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



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Sec. 16. NRS 385.3789 is hereby amended to read as follows:

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

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

(b) To each public school;

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

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

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

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

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

(2) Whether the Commission considers the program to be innovative;

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

(4) The costs to implement the program; and

(5) The full-time personnel necessary to implement the program, if any.

➡ The report must be submitted on or before ~~September 1~~ **October 15** of each year to the entities identified in subsection 3.

2. The Commission shall:

(a) Prepare an annual report that describes:

(1) The activities of the Commission;

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

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

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

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

(a) State Board;



- (b) Governor;
- (c) Committee;
- (d) Bureau;
- (e) Interim Finance Committee; and
- (f) Board of trustees of each school district.

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

(a) Must include:

(1) A review of the amount of time it takes for a public school or consortium of public schools to receive an allocation of money after the Commission makes the award;

(2) A determination of whether a public school or consortium of public schools that received an allocation of money used the money to implement the program for which the money was allocated; and

(3) Any recommendations for the most efficient and economical use of the money allocated by the Commission to public schools and consortiums of public schools.

(b) May include a representative sample of programs, based upon geographic location and type of program.

5. The Legislative Auditor shall report the results of each biennial audit conducted pursuant to subsection 4 to the entities prescribed in subsection 3.

Sec. 17. NRS 386.605 is hereby amended to read as follows:

386.605 1. On or before ~~July 15~~ **August 31** of each year, the governing body of a charter school shall submit the information concerning the charter school that is required pursuant to subsection 2 of NRS 385.347 to the board of trustees of the school district in which the charter school is located for inclusion in the report of the school district pursuant to that section. The information must be submitted by the charter school in a format prescribed by the board of trustees.

2. The Legislative Bureau of Educational Accountability and Program Evaluation created pursuant to NRS 218E.625 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, 385.3745 or 385.3746, 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. 18. The Department of Education shall:

1. Review the schedule established pursuant to NAC 389.051 for the administration of the criterion-referenced examinations in



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1 grades 3 through 8, inclusive, required pursuant to NRS 389.550
2 which is in effect on July 1, 2011;
3 2. Expeditiously revise the schedule to establish testing dates at
4 least 30 days later in the spring semester based upon the dates for
5 the determination of adequate yearly progress pursuant to NRS
6 385.3613, 385.366, 385.3762 and 385.3771, as amended by sections
7 11, 12, 13 and 14 of this act, respectively; and
8 3. On or before October 1, 2011, provide a report regarding the
9 revisions made to the testing schedule to the Director of the
10 Legislative Counsel Bureau for transmission to the Legislative
11 Committee on Education.
12 **Sec. 19.** This act becomes effective on July 1, 2011.

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