

ASSEMBLY BILL NO. 138—COMMITTEE ON EDUCATION

FEBRUARY 11, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing pupils. (BDR 34-113)

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

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

AN ACT relating to education; requiring the Department of Education to work in consultation with the Nevada System of Higher Education to establish a plan to ensure that high school pupils are adequately prepared for postsecondary education and success in the workplace; revising certain requirements for the reports of accountability information prepared by the State Board of Education and the boards of trustees of school districts; revising provisions governing the academic plans for ninth grade pupils; requiring school districts to adopt a policy for remediation of deficient credits; requiring school districts to adopt a policy for pupils to report unlawful activities; repealing certain provisions relating to the exemption of certain children from compulsory school attendance; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

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

**Sections 2-4** of this bill revise the requirements for the reports of accountability information prepared by the State Board of Education and the board of trustees of each school district to include certain information relating to diplomas and certificates indicating passage of the tests of general educational development.

**Section 5** of this bill revises the requirements of the policy for the 4-year academic plan for ninth grade pupils to require the policy to ensure that each ninth grade pupil and his or her parent or legal guardian are adequately notified of certain



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courses and programs available to the pupil, as well as the requirements for graduation, for admission to the Nevada System of Higher Education and for receipt of a Governor Guinn Millennium Scholarship.

**Section 7** of this bill requires the board of trustees of each school district to adopt a policy which ensures that a pupil who is deficient in the number of credits required for promotion to the next grade or graduation from high school is provided sufficient opportunities to remediate his or her deficient credits.

**Section 8** of this bill requires the board of trustees of each school district to adopt a policy that allows a pupil enrolled in a public school within a school district to report, anonymously if the pupil chooses, any unlawful activities that are being conducted on school property, at an activity sponsored by the public school or on a school bus, commonly referred to as a "secret witness program."

**Section 13** of this bill repeals certain provisions relating to the exemption of children from compulsory school attendance.

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

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

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

*2. The Superintendent of Public Instruction shall:*

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

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

**Sec. 2.** NRS 385.3469 is hereby amended to read as follows:

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

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



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(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;

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

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

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

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

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

(5) For each elementary school:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in



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1 the same classroom or assignment, designated as long-term  
2 substitute teachers, including the total number of days long-term  
3 substitute teachers were employed at each school, identified by  
4 grade level; and

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

(z) The technological facilities and equipment available for educational purposes, reported for each school district, including,



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1 without limitation, each charter school in the district, and for this  
2 State as a whole.

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

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

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

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

10 (2) *An adult diploma.*

11 (3) An adjusted diploma.

12 ~~[(3)]~~ (4) A certificate of attendance.

13 (5) *A certificate indicating passage of the tests of general*  
14 *educational development for those pupils who are eligible*  
15 *pursuant to NRS 385.448.*

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

20 (cc) The number of habitual truants who are reported to a school  
21 police officer or local law enforcement agency pursuant to  
22 paragraph (a) of subsection 2 of NRS 392.144 and the number of  
23 habitual truants who are referred to an advisory board to review  
24 school attendance pursuant to paragraph (b) of subsection 2 of NRS  
25 392.144, reported for each school district, including, without  
26 limitation, each charter school in the district, and for this State as a  
27 whole.

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

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

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

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



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

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

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

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

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

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

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

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

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

3. The annual report of accountability must:

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

(b) Be prepared in a concise manner; and

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

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

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





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

- (1) Governor;
- (2) Committee;
- (3) Bureau;
- (4) Board of Regents of the University of Nevada;
- (5) Board of trustees of each school district; and
- (6) Governing body of each charter school.

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

6. As used in this section:

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

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

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

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

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

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

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

(3) With disabilities;

(4) Who are limited English proficient; and

(5) Who are migratory children, as defined by the State Board;

(b) The average daily attendance of pupils, reported separately for the groups identified in paragraph (a);

(c) The transiency rate of pupils;

(d) The percentage of pupils who are habitual truants;

(e) The percentage of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655;

(f) The number of incidents resulting in suspension or expulsion for:

(1) Violence to other pupils or to school personnel;

(2) Possession of a weapon;

(3) Distribution of a controlled substance;



- 1 (4) Possession or use of a controlled substance; and
- 2 (5) Possession or use of alcohol;
- 3 (g) For kindergarten through grade 8, the number and
- 4 percentage of pupils who are retained in the same grade;
- 5 (h) For grades 9 to 12, inclusive, the number and percentage of
- 6 pupils who are deficient in the number of credits required for
- 7 promotion to the next grade or graduation from high school;
- 8 (i) The pupil-teacher ratio for kindergarten and grades 1 to 8,
- 9 inclusive;
- 10 (j) The average class size for the subject area of mathematics,
- 11 English, science and social studies in schools where pupils rotate to
- 12 different teachers for different subjects;
- 13 (k) The number and percentage of pupils who graduated from
- 14 high school;
- 15 (l) The number and percentage of pupils who received a:
- 16 (1) Standard diploma;
- 17 (2) Adult diploma;
- 18 (3) Adjusted diploma; ~~and~~
- 19 (4) Certificate of attendance; *and*
- 20 (5) *Certificate indicating passage of the tests of general*
- 21 *educational development for those pupils who are eligible*
- 22 *pursuant to NRS 385.448;*
- 23 (m) The number and percentage of pupils who graduated from
- 24 high school and enrolled in remedial courses at the Nevada System
- 25 of Higher Education;
- 26 (n) Per pupil expenditures;
- 27 (o) Information on the professional qualifications of teachers;
- 28 (p) The average daily attendance of teachers and licensure
- 29 information;
- 30 (q) Information on the adequate yearly progress of the schools
- 31 and school districts;
- 32 (r) Pupil achievement based upon the:
- 33 (1) Examinations administered pursuant to NRS 389.550,
- 34 including, without limitation, whether public schools have made
- 35 progress based upon the model adopted by the Department pursuant
- 36 to NRS 385.3595; and
- 37 (2) High school proficiency examination;
- 38 (s) To the extent practicable, pupil achievement based upon the
- 39 examinations administered pursuant to NRS 389.015 for grades 4, 7
- 40 and 10; and
- 41 (t) Other information required by the Superintendent of Public
- 42 Instruction in consultation with the Bureau.
- 43 2. The summary prepared pursuant to subsection 1 must:
- 44 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
- 45 adopted pursuant thereto;



- 1 (b) Be prepared in a concise manner; and  
2 (c) Be presented in an understandable and uniform format and,  
3 to the extent practicable, provided in a language that parents will  
4 likely understand.

5 3. On or before September 7 of each year, the State Board  
6 shall:

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

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

- 11 (1) Governor;  
12 (2) Committee;  
13 (3) Bureau;  
14 (4) Board of Regents of the University of Nevada;  
15 (5) Board of trustees of each school district; and  
16 (6) Governing body of each charter school.

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

27 5. The Department shall, in consultation with the Bureau and  
28 the school districts, prescribe a form for the summary required by  
29 this section.

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

31 385.347 1. The board of trustees of each school district in  
32 this State, in cooperation with associations recognized by the State  
33 Board as representing licensed educational personnel in the district,  
34 shall adopt a program providing for the accountability of the school  
35 district to the residents of the district and to the State Board for the  
36 quality of the schools and the educational achievement of the pupils  
37 in the district, including, without limitation, pupils enrolled in  
38 charter schools in the school district. The board of trustees of each  
39 school district shall report the information required by subsection 2  
40 for each charter school that is located within the school district,  
41 regardless of the sponsor of the charter school. The information for  
42 charter schools must be reported separately and must denote the  
43 charter schools sponsored by the school district, the charter schools  
44 sponsored by the State Board and the charter schools sponsored by a



1 college or university within the Nevada System of Higher  
2 Education.

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

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

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

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

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

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

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

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

28 (III) Pupils with disabilities;

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

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

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

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

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

40 (7) The most recent 3-year trend in pupil achievement in  
41 each subject area tested and each grade level tested pursuant to NRS  
42 389.015 and 389.550, which may include information regarding the  
43 trend in the achievement of pupils for more than 3 years, if such  
44 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:

(I) Providing instruction pursuant to NRS 391.125;

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

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



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

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

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

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

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

(5) For each elementary school:

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

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

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

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

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



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

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

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

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

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

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

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

(3) Withdraw from school to attend another school.

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

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

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

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

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

(l) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the



\* A B 1 3 8 \*

1 district, including, without limitation, each charter school in the  
2 district.

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

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

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

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

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

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

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

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

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

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

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

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





- (I) Paragraph (a) of subsection 1 of NRS 389.805; and  
(II) Paragraph (b) of subsection 1 of NRS 389.805.

(2) *An adult diploma.*

(3) An adjusted diploma.

~~[(3)]~~ (4) A certificate of attendance.

(5) *A certificate indicating passage of the tests of general educational development for those pupils who are eligible pursuant to NRS 385.448.*

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

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

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

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

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

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

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

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

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

(2) The number and percentage of all paraprofessionals who do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The



1 reporting requirements of this subparagraph apply to  
2 paraprofessionals who are employed in positions supported with  
3 Title I money and to paraprofessionals who are not employed in  
4 positions supported with Title I money.

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

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

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

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

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

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

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

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

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

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

40 3. The records of attendance maintained by a school for  
41 purposes of paragraph (i) of subsection 2 must include the number  
42 of teachers who are in attendance at school and the number of  
43 teachers who are absent from school. A teacher shall be deemed in  
44 attendance if the teacher is excused from being present in the



1 classroom by the school in which the teacher is employed for one of  
2 the following reasons:

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

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

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

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

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

14 5. The Superintendent of Public Instruction shall:

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

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

21 (c) Consult with a representative of the:

22 (1) Nevada State Education Association;

23 (2) Nevada Association of School Boards;

24 (3) Nevada Association of School Administrators;

25 (4) Nevada Parent Teacher Association;

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

27 and

28 (6) Legislative Counsel Bureau,

29 ➔ concerning the program and consider any advice or  
30 recommendations submitted by the representatives with respect to  
31 the program.

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

37 7. On or before August 15 of each year, the board of trustees of  
38 each school district shall submit to each advisory board to review  
39 school attendance created in the county pursuant to NRS 392.126  
40 the information required in paragraph (g) of subsection 2.

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

43 (a) Provide written notice that the report required pursuant to  
44 subsection 2 is available on the Internet website maintained by the



1 school district, if any, or otherwise provide written notice of the  
2 availability of the report. The written notice must be provided to the:

- 3 (1) Governor;
- 4 (2) State Board;
- 5 (3) Department;
- 6 (4) Committee; and
- 7 (5) Bureau.

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

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

23 10. As used in this section:

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

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

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

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

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

41 *(a) The advanced placement courses, honors courses,*  
42 *international baccalaureate courses, dual credit courses, career*  
43 *and technical education courses, including, without limitation,*  
44 *career and technical skills-building programs, and any other*  
45 *educational programs, pathways or courses available to the pupil*



1 *which will assist the pupil in the advancement of his or her*  
2 *education;*

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

5 *(c) The requirements for admission to the Nevada System of*  
6 *Higher Education and the eligibility requirements for a Governor*  
7 *Guinn Millennium Scholarship; and*

8 *(d) Programs offered by charter schools within the school*  
9 *district, to the extent such programs are available.*

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

12 (a) ~~[Work—in]~~ *Be notified of opportunities to work in*  
13 *consultation with a school counselor to develop and review an*  
14 *academic plan for the pupil; and*

15 (b) ~~[Sign the academic plan; and~~

16 ~~—(e)]~~ *Review the academic plan at least once each school year in*  
17 *consultation with a school counselor and revise the plan if*  
18 *necessary.*

19 ~~[3-]~~ **4.** If a pupil enrolls in a high school after ninth grade, an  
20 academic plan must be developed for that pupil with appropriate  
21 modifications for the grade level of the pupil.

22 ~~[4-]~~ **5.** An academic plan for a pupil must be used as a guide  
23 for the pupil and the parent or legal guardian of the pupil to plan,  
24 monitor and manage the pupil's educational and occupational  
25 development and make determinations of the appropriate courses of  
26 study for the pupil. If a pupil does not satisfy all the goals set forth  
27 in the academic plan, the pupil is eligible to graduate and receive a  
28 high school diploma if the pupil otherwise satisfies the requirements  
29 for a diploma.

30 **Sec. 6.** Chapter 392 of NRS is hereby amended by adding  
31 thereto the provisions set forth as sections 7 and 8 of this act.

32 **Sec. 7.** *The board of trustees of each school district shall*  
33 *adopt a policy of credit remediation which ensures that pupils who*  
34 *are deficient in the number of credits required for promotion to*  
35 *the next grade or for graduation from high school are provided*  
36 *sufficient opportunities, including, without limitation,*  
37 *opportunities during the school day, to complete appropriate*  
38 *remediation of deficient credits.*

39 **Sec. 8. 1.** *The board of trustees of each school district shall*  
40 *adopt a policy that allows a pupil enrolled in a public school*  
41 *within the school district to report, anonymously if the pupil*  
42 *chooses, any unlawful activity which is being conducted on school*  
43 *property, at an activity sponsored by a public school or on a school*  
44 *bus. The policy must include, without limitation:*



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

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

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

10 3. *Each public school within the school district shall post*  
11 *prominently in various locations at the school the policy adopted*  
12 *pursuant to subsection 1, which must clearly denote the phone*  
13 *number and any other methods by which a report may be made. If*  
14 *a public school maintains an Internet website for the school, the*  
15 *policy must also be posted on the school's website.*

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

18 **Sec. 9.** NRS 392.019 is hereby amended to read as follows:

19 392.019 1. Except as otherwise provided in this subsection, if  
20 a child is exempt from compulsory attendance pursuant to *this*  
21 *section or* NRS 392.070 ~~[, 392.100 or 392.110,]~~ and the child is  
22 employed to work in the entertainment industry pursuant to a  
23 written contract for a period of more than 91 school days, or its  
24 equivalent if the child resides in a school district operating under an  
25 alternative schedule authorized pursuant to NRS 388.090, including,  
26 without limitation, employment with a motion picture company or  
27 employment with a production company hired by a casino or resort  
28 hotel, the entity that employs the child shall, upon the request of the  
29 parent or legal guardian of the child, pay the costs for the child to  
30 receive at least 3 hours of tutoring per day for at least 5 days per  
31 week. In lieu of tutoring, the parent or legal guardian of such a child  
32 may agree with the entity that employs the child that the entity will  
33 pay the costs for the child to receive other educational or  
34 instructional services which are equivalent to tutoring. The  
35 provisions of this subsection apply during the period of a child's  
36 employment with an entity, regardless of whether the child has  
37 obtained the appropriate exemption from compulsory attendance at  
38 the time his or her contract with the entity is under negotiation.

39 2. *The board of trustees of a school district may excuse a*  
40 *child who is employed pursuant to subsection 1 from full-time*  
41 *attendance.* If such a child is exempt from ~~[compulsory]~~ attendance  
42 pursuant to ~~[NRS 392.100 or 392.110,]~~ *this subsection,* the tutoring  
43 or other educational or instructional services received by the child  
44 pursuant to subsection 1 must be approved by the board of trustees  
45 of the school district in which the child resides.



**Sec. 10.** NRS 392.170 is hereby amended to read as follows:

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

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

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

**Sec. 11.** NRS 392.180 is hereby amended to read as follows:

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

**Sec. 12.** NRS 392.215 is hereby amended to read as follows:

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

1. Makes a false statement concerning the age or attendance at school;

2. Presents a false birth certificate or record of attendance at school; or

3. Refuses to furnish a suitable identifying document, record of attendance at school or proof of change of name, upon request by a local law enforcement agency conducting an investigation in response to notification pursuant to subsection 4 of NRS 392.165, of a child under 18 years of age who is under his or her control or charge, is guilty of a misdemeanor.

**Sec. 13.** NRS 392.090, 392.100 and 392.110 are hereby repealed.

**Sec. 14.** This act becomes effective on July 1, 2011.



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TEXT OF REPEALED SECTIONS

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

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

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

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

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

