

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; authorizing 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; authorizing 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 authorizes 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, 2.5 and 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: (1) certain information relating to adult diplomas; and (2) reports on incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment and intimidation.

Section 5 of this bill revises the provisions governing the policy for the 4-year academic plan for ninth grade pupils to provide that the policy may ensure that each ninth grade pupil and his or her parent or legal guardian are provided, to the extent practicable, with information concerning certain 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 8 of this bill authorizes 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.

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 may 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. If such a plan is established, 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.

(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



1 district, and for this State as a whole, and the average class size for
2 each core academic subject, as set forth in NRS 389.018, for each
3 secondary school, reported for each school district and for this State
4 as a whole.

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

10 (1) The percentage of teachers who are:

11 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

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

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

40 (5) For each elementary school:

41 (I) On and after July 1, 2005, the number of persons
42 employed as substitute teachers for 20 consecutive days or more in
43 the same classroom or assignment, designated as long-term
44 substitute teachers, including the total number of days long-term



1 substitute teachers were employed at each school, identified by
2 grade level; and

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

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

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

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

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

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

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

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

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

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



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

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

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

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

(2) *An adult diploma.*

(3) An adjusted diploma.

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

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

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

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

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

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

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

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

(gg) For each school district, including, without limitation, each charter school in the district and for this State as a whole,



1 information on pupils enrolled in career and technical education,
2 including, without limitation:

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

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

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

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

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

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

20 *(hh) The number of incidents resulting in suspension or*
21 *expulsion for bullying, cyber-bullying, harassment or*
22 *intimidation, reported for each school district, including, without*
23 *limitation, each charter school in the district, and for the State as*
24 *a whole.*

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

32 3. The annual report of accountability must:

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

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

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

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

41 (a) Provide for public dissemination of the annual report of
42 accountability by posting a copy of the report on the Internet
43 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) *"Bullying" has the meaning ascribed to it in NRS 388.122.*

(b) *"Cyber-bullying" has the meaning ascribed to it in NRS 388.123.*

(c) *"Harassment" has the meaning ascribed to it in NRS 388.125.*

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

~~[(b)]~~ (e) *"Intimidation" has the meaning ascribed to it in NRS 388.129.*

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

Sec. 2.5. 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;



- 1 (d) The percentage of pupils who are habitual truants;
- 2 (e) The percentage of pupils who are deemed habitual
- 3 disciplinary problems pursuant to NRS 392.4655;
- 4 (f) The number of incidents resulting in suspension or expulsion
- 5 for:
 - 6 (1) Violence to other pupils or to school personnel;
 - 7 (2) Possession of a weapon;
 - 8 (3) Distribution of a controlled substance;
 - 9 (4) Possession or use of a controlled substance; ~~and~~
 - 10 (5) Possession or use of alcohol; *and*
 - 11 *(6) Bullying, cyber-bullying, harassment or intimidation;*
- 12 (g) For kindergarten through grade 8, the number and
- 13 percentage of pupils who are retained in the same grade;
- 14 (h) For grades 9 to 12, inclusive, the number and percentage of
- 15 pupils who are deficient in the number of credits required for
- 16 promotion to the next grade or graduation from high school;
- 17 (i) The pupil-teacher ratio for kindergarten and grades 1 to 8,
- 18 inclusive;
- 19 (j) The average class size for the subject area of mathematics,
- 20 English, science and social studies in schools where pupils rotate to
- 21 different teachers for different subjects;
- 22 (k) The number and percentage of pupils who graduated from
- 23 high school;
- 24 (l) The number and percentage of pupils who received a:
 - 25 (1) Standard diploma;
 - 26 (2) Adult diploma;
 - 27 (3) Adjusted diploma; and
 - 28 (4) Certificate of attendance;
- 29 (m) The number and percentage of pupils who graduated from
- 30 high school and enrolled in remedial courses at the Nevada System
- 31 of Higher Education;
- 32 (n) Per pupil expenditures;
- 33 (o) Information on the professional qualifications of teachers;
- 34 (p) The average daily attendance of teachers and licensure
- 35 information;
- 36 (q) Information on the adequate yearly progress of the schools
- 37 and school districts;
- 38 (r) Pupil achievement based upon the:
 - 39 (1) Examinations administered pursuant to NRS 389.550,
 - 40 including, without limitation, whether public schools have made
 - 41 progress based upon the model adopted by the Department pursuant
 - 42 to NRS 385.3595; and
 - 43 (2) High school proficiency examination;



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

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

2. The summary prepared pursuant to subsection 1 must:

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

(b) Be prepared in a concise manner; and

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

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

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

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

(1) Governor;

(2) Committee;

(3) Bureau;

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

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

(6) Governing body of each charter school.

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

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

6. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

(c) "Harassment" has the meaning ascribed to it in NRS 388.125.



(d) *"Intimidation" has the meaning ascribed to it in NRS 388.129.*

Sec. 3. (Deleted by amendment.)

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

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

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

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

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

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

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

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

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

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



- 1 (III) Pupils with disabilities;
- 2 (IV) Pupils who are limited English proficient; and
- 3 (V) Pupils who are migratory children, as defined by the
- 4 State Board.

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

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

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

13 (7) The most recent 3-year trend in pupil achievement in
14 each subject area tested and each grade level tested pursuant to NRS
15 389.015 and 389.550, which may include information regarding the
16 trend in the achievement of pupils for more than 3 years, if such
17 information is available.

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

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

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

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

42 (c) The ratio of pupils to teachers in kindergarten and at each
43 grade level for each elementary school in the district and the district
44 as a whole, including, without limitation, each charter school in the
45 district, and the average class size for each core academic subject, as



1 set forth in NRS 389.018, for each secondary school in the district
2 and the district as a whole, including, without limitation, each
3 charter school in the district.

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

8 (1) The percentage of teachers who are:

9 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

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

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

38 (5) For each elementary school:

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



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(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

(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.



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

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

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

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

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

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

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

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

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

(p) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school in the district. For the purposes of this paragraph, a pupil is not transient if 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.

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

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

(1) The amount and sources of money received for programs of remedial study for each school in the district and the district as a



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

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

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

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

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

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

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

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

21 (2) *An adult diploma.*

22 (3) An adjusted diploma.

23 ~~(3)~~ (4) A certificate of attendance.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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(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) *The number of incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment or intimidation, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.*

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

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

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

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

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

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

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

5. The Superintendent of Public Instruction shall:

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

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

(c) Consult with a representative of the:

(1) Nevada State Education Association;



- 1 (2) Nevada Association of School Boards;
- 2 (3) Nevada Association of School Administrators;
- 3 (4) Nevada Parent Teacher Association;
- 4 (5) Budget Division of the Department of Administration;

5 and

- 6 (6) Legislative Counsel Bureau,
- 7 → concerning the program and consider any advice or
- 8 recommendations submitted by the representatives with respect to
- 9 the program.

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

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

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

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

- 26 (1) Governor;
- 27 (2) State Board;
- 28 (3) Department;
- 29 (4) Committee; and
- 30 (5) Bureau.

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

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



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10. As used in this section:

(a) *“Bullying” has the meaning ascribed to it in NRS 388.122.*

(b) *“Cyber-bullying” has the meaning ascribed to it in NRS 388.123.*

(c) *“Harassment” has the meaning ascribed to it in NRS 388.125.*

(d) “Highly qualified” has the meaning ascribed to it in 20 U.S.C. § 7801(23).

~~[(b)]~~ (e) *“Intimidation” has the meaning ascribed to it in NRS 388.129.*

(f) “Paraprofessional” has the meaning ascribed to it in NRS 391.008.

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

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

2. *The policy may ensure that each pupil enrolled in ninth grade and the pupil’s parent or legal guardian are provided with, to the extent practicable, the following information:*

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

(b) *The courses of study which the Department recommends that pupils take to prepare the pupils to successfully meet the academic challenges of the high school proficiency examination and pass that examination;*

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

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

(e) *The charter schools within the school district.*

3. The policy *required by subsection 1* must require each pupil enrolled in ninth grade and the pupil’s parent or legal guardian to:



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

(b) Sign the academic plan; and

(c) Review the academic plan at least once each school year in consultation with a school counselor and revise the plan if necessary.

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

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

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

Sec. 7. (Deleted by amendment.)

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

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

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

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

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



1 ***4. If the board of trustees of a school district adopts a policy***
2 ***pursuant to subsection 1, the board of trustees shall post the policy***
3 ***on the Internet website maintained by the school district.***

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

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

25 2. If such a child is exempt from compulsory attendance
26 pursuant to NRS ~~[392.100 or]~~ 392.110, the tutoring or other
27 educational or instructional services received by the child pursuant
28 to subsection 1 must be approved by the board of trustees of the
29 school district in which the child resides.

30 **Sec. 9.5.** NRS 392.110 is hereby amended to read as follows:

31 392.110 1. Any child between the ages of ~~[14]~~ **15** and 18
32 years who has completed the work of the first eight grades may be
33 excused from full-time school attendance and may be permitted to
34 enter proper employment or apprenticeship, by the written authority
35 of the board of trustees excusing the child from such attendance.
36 The board's written authority must state the reason or reasons for
37 such excuse.

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



- 1 **Sec. 10.** (Deleted by amendment.)
- 2 **Sec. 11.** (Deleted by amendment.)
- 3 **Sec. 12.** (Deleted by amendment.)
- 4 **Sec. 13.** NRS 392.090 and 392.100 are hereby repealed.
- 5 **Sec. 14.** 1. This act becomes effective on July 1, 2011.
- 6 2. Section 1 of this act expires by limitation on June 30, 2014.

TEXT OF REPEALED SECTIONS

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

392.100 Attendance excused if child 14 years of age or older must support himself or 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.

