

ASSEMBLY BILL NO. 229—ASSEMBLYMEN OCEGUERA, BOBZIEN, SMITH, HORNE, CONKLIN; ANDERSON, ATKINSON, BENITEZ-THOMPSON, BROOKS, BUSTAMANTE ADAMS, DALY, DONDERO LOOP, FLORES, KIRKPATRICK, MASTROLUCA, MUNFORD, OHRENSCHALL, PIERCE AND SEGERBLOM

MARCH 2, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing the accountability and performance of public schools and educational personnel. (BDR 34-515)

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

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

AN ACT relating to education; revising the annual reports of accountability information for public schools; requiring the board of trustees of each school district to establish and implement a program of performance pay and enhanced compensation for the recruitment and retention of licensed teachers and administrators; removing probationary teachers and probationary administrators from the applicability of certain provisions governing certain disciplinary measures by school districts; revising provisions governing the demotion, suspension, dismissal and nonreemployment of certain teachers and administrators; expanding the grounds for immediate dismissal and refusal to reemploy; revising the designations of the overall performance of teachers and administrators required by the policies for evaluations of each school district; authorizing a postprobationary employee to request an expedited hearing under certain circumstances; revising provisions governing the probationary periods of teachers and administrators and the evaluations of probationary teachers and probationary administrators; and providing other matters properly relating thereto.



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Legislative Counsel's Digest:

Existing law requires the State Board of Education and the board of trustees of each school district to prepare an annual report of accountability information for public schools. (NRS 385.3469, 385.347) **Sections 1 and 2** of this bill expand the requirements of the annual reports of accountability to include a reporting of the number and percentages of administrators, teachers and support staff for each elementary school, middle school or junior high school, and high school and for each school district in the State.

Section 8 of this bill requires the board of trustees of each school district to: (1) establish a program of performance pay and enhanced compensation for the recruitment and retention of licensed teachers and administrators; and (2) implement the program commencing with the 2014-2015 school year.

Existing law requires that the board of trustees of each school district develop a policy for the evaluation of teachers and administrators pursuant to which an individual teacher or administrator is designated as "satisfactory" or "unsatisfactory." (NRS 391.3125, 391.3127) Effective July 1, 2013, **sections 14 and 16** of this bill revise the policies for evaluations to require the designation of an individual teacher or administrator as "highly effective," "effective," "minimally effective" or "ineffective."

Section 9 of this bill provides that if a written evaluation of a probationary teacher or probationary administrator states that the overall performance of the teacher or administrator has been designated as "unsatisfactory": (1) the evaluation must include a written statement that the contract of the person so evaluated may not be renewed for the next school year and that the employee may request reasonable assistance in correcting the deficiencies identified in the evaluation; and (2) the person must acknowledge in writing that he or she has received and understands the written statement. **Section 20** of this bill amends **section 9**, effective July 1, 2013, when the four types of designations for the evaluations of teachers and administrators will take effect.

Existing law sets forth certain rights and responsibilities relating to disciplinary measures taken by school districts with respect to probationary and postprobationary teachers and administrators. (NRS 391.311-391.3197) **Section 11** of this bill removes probationary teachers and new employees hired as probationary administrators from the applicability of the provisions governing admonition, demotion, suspension, dismissal and nonreemployment.

Section 12 of this bill revises the grounds for which a teacher may be suspended, dismissed or not reemployed or for which an administrator may be demoted, suspended, dismissed or not reemployed to include gross misconduct.

Section 17 of this bill expands the grounds for which a licensed employee is subject to immediate dismissal or a refusal to reemploy without first receiving a written admonition to include gross misconduct.

Section 18 of this bill authorizes a postprobationary employee who receives notice that he or she will be dismissed before completion of the current school year to request an expedited hearing pursuant to the expedited procedures established by the American Arbitration Association.

Under existing law, a probationary teacher and a probationary administrator serve two 1-year periods as a probationary employee. If the employee receives satisfactory evaluations in the first probationary year, the second probationary year must be waived and the person is entitled to postprobationary employment with the school district. (NRS 391.3197) **Section 19** of this bill revises the probationary period from two 1-year periods to three 1-year periods, without a waiver of any of the probationary years.



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

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

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

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

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

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

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

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

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

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

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

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

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

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



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(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) *The total number of persons employed by each school district in this State, including without limitation, each charter school in the district. Each such person must be reported as either an administrator, a teacher or support staff. In addition to the total number of persons employed by each school district in each category, the report must include the number of employees in each of the three categories expressed as a percentage of the total number of persons employed by the school district. As used in this paragraph:*

(1) *“Administrator” means a person employed primarily to supervise support staff or licensed personnel, or both, in addition to providing administrative services.*

(2) *“Support staff” means all persons who are not reported as administrators or teachers.*

(3) *“Teacher” means a person licensed pursuant to chapter 391 of NRS primarily to provide instruction to pupils.*

(l) 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 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.

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



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

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

~~[(o)]~~ (p) 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, reported for each school district, including, without limitation, each charter school in the district, and for this State 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.

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

~~[(q)]~~ (r) 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)]~~ (s) 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)]~~ (t) 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)]~~ (u) 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)]~~ (v) 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.



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

~~[(x)]~~ (y) 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)]~~ (z) 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)]~~ (aa) 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)]~~ (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 received:

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

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

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

(2) An adjusted diploma.

(3) A certificate of attendance.

~~[(bb)]~~ (cc) 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)]~~ (dd) 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



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1 school attendance pursuant to paragraph (b) of subsection 2 of NRS
2 392.144, reported for each school district, including, without
3 limitation, each charter school in the district, and for this State as a
4 whole.

5 ~~[(dd)]~~ (ee) Information on the paraprofessionals employed at
6 public schools in this State, including, without limitation, the charter
7 schools in this State. The information must include:

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

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

19 ~~[(ee)]~~ (ff) An identification of appropriations made by the
20 Legislature to improve the academic achievement of pupils and
21 programs approved by the Legislature to improve the academic
22 achievement of pupils.

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

26 ~~[(gg)]~~ (hh) For each school district, including, without
27 limitation, each charter school in the district and for this State as a
28 whole, information on pupils enrolled in career and technical
29 education, including, without limitation:

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

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

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

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

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

43 (6) The number and percentage of pupils who completed a
44 program of career and technical education and who did not receive a



1 high school diploma because the pupils failed to pass the high
2 school proficiency examination.

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

10 3. The annual report of accountability must:

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

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

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

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

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

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

25 (1) Governor;

26 (2) Committee;

27 (3) Bureau;

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

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

30 (6) Governing body of each charter school.

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

35 6. As used in this section:

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

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

40 **Sec. 2.** NRS 385.347 is hereby amended to read as follows:

41 385.347 1. The board of trustees of each school district in
42 this State, in cooperation with associations recognized by the State
43 Board as representing licensed educational personnel in the district,
44 shall adopt a program providing for the accountability of the school
45 district to the residents of the district and to the State Board for the



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

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

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

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

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

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

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

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

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

37 (III) Pupils with disabilities;

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

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

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

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



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

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

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

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

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

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

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

(d) *The total number of persons employed for each elementary school, middle school or junior high school, and high school in the district, including, without limitation, each charter school in the district. Each such person must be reported as either an administrator, a teacher or support staff. In addition to the total*



1 *number of persons employed by each school in each category, the*
2 *report must include the number of employees in each of the three*
3 *categories for each school expressed as a percentage of the total*
4 *number of persons employed by the school. As used in this*
5 *paragraph:*

6 (1) *“Administrator” means a person employed primarily to*
7 *supervise support staff or licensed personnel, or both, in addition*
8 *to providing administrative services.*

9 (2) *“Support staff” means all persons who are not reported*
10 *as administrators or teachers.*

11 (3) *“Teacher” means a person licensed pursuant to chapter*
12 *391 of NRS who is employed primarily to provide instruction to*
13 *pupils.*

14 (e) *The total number of persons employed by the school*
15 *district, including without limitation, each charter school in the*
16 *district. Each such person must be reported as either an*
17 *administrator, a teacher or support staff. In addition to the total*
18 *number of persons employed by the school district in each*
19 *category, the report must include the number of employees in each*
20 *of the three categories expressed as a percentage of the total*
21 *number of persons employed by the school district. As used in this*
22 *paragraph:*

23 (1) *“Administrator” means a person employed primarily to*
24 *supervise support staff or licensed personnel, or both, in addition*
25 *to providing administrative services.*

26 (2) *“Support staff” means all persons who are not reported*
27 *as administrators or teachers.*

28 (3) *“Teacher” means a person licensed pursuant to chapter*
29 *391 of NRS who is employed primarily to provide instruction to*
30 *pupils.*

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

35 (1) *The percentage of teachers who are:*

36 (I) *Providing instruction pursuant to NRS 391.125;*

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

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

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



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(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)~~ (g) 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)~~ (h) 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.



~~(e)~~ (i) 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)~~ (j) 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)~~ (k) 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)~~ (l) 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)~~ (m) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.

~~(l)~~ (n) 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)]~~ (o) Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.

~~[(n)]~~ (p) 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)]~~ (q) 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)]~~ (r) 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)]~~ (s) Each source of funding for the school district.

~~[(r)]~~ (t) 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 whole, including, without limitation, each charter school in the district.

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

~~[(s)]~~ (u) For each high school in the district, including, without limitation, each charter school in the district, the percentage of pupils who graduated from that 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.

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

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

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

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



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

(2) An adjusted diploma.

(3) A certificate of attendance.

~~[(v)]~~ (x) 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)]~~ (y) 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)]~~ (z) 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)]~~ (aa) 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)]~~ (bb) 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)]~~ (cc) Information on the paraprofessionals employed by each public school in the district, including, without limitation, each charter school in the district. The information must include:

(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



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1 Title I money and to paraprofessionals who are not employed in
2 positions supported with Title I money.

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

11 ~~[(ee)]~~ (ee) An identification of the appropriations made by the
12 Legislature that are available to the school district or the schools
13 within the district and programs approved by the Legislature to
14 improve the academic achievement of pupils.

15 ~~[(dd)]~~ (ff) For each school in the district and the district as a
16 whole, including, without limitation, each charter school in the
17 district, information on pupils enrolled in career and technical
18 education, including, without limitation:

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

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

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

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

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

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

36 ~~[(ee)]~~ (gg) Such other information as is directed by the
37 Superintendent of Public Instruction.

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

(2) Nevada Association of School Boards;

(3) Nevada Association of School Administrators;

(4) Nevada Parent Teacher Association;

(5) Budget Division of the Department of Administration;

and

(6) Legislative Counsel Bureau,

→ concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

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

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

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

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

(1) Governor;



- (2) State Board;
- (3) Department;
- (4) Committee; and
- (5) Bureau.

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

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

10. 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 385.36129 is hereby amended to read as follows:

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

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

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

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

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

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



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- 1 (1) The name of the program;
- 2 (2) The date on which the program was purchased and the
- 3 date on which the program was carried out by the school;
- 4 (3) The percentage of personnel at the school who were
- 5 trained regarding the use of the program;
- 6 (4) The satisfaction of the personnel at the school with the
- 7 program; and
- 8 (5) An evaluation of whether the program has improved the
- 9 academic achievement of the pupils enrolled in the school who
- 10 participated in the program;
- 11 (d) An analysis of the problems and factors at the school which
- 12 contributed to the designation of the school as demonstrating need
- 13 for improvement, including, without limitation, issues relating to:
- 14 (1) The financial resources of the school;
- 15 (2) The administrative and educational personnel of the
- 16 school;
- 17 (3) The curriculum of the school;
- 18 (4) The facilities available at the school, including the
- 19 availability and accessibility of educational technology; and
- 20 (5) Any other factors that the support team believes
- 21 contributed to the designation of the school as demonstrating need
- 22 for improvement; and
- 23 (e) Other information concerning the school, including, without
- 24 limitation:
- 25 (1) The results of the pupils who are enrolled in the school
- 26 on the examinations that are administered pursuant to NRS 389.550
- 27 or the high school proficiency examination, as applicable;
- 28 (2) Records of the attendance and truancy of pupils who are
- 29 enrolled in the school;
- 30 (3) The transiency rate of pupils who are enrolled in the
- 31 school;
- 32 (4) A description of the number of years that each teacher
- 33 has provided instruction at the school and the rate of turnover of
- 34 teachers and other educational personnel employed at the school;
- 35 (5) A description of the participation of parents and legal
- 36 guardians in the educational process and other activities relating to
- 37 the school;
- 38 (6) A description of each source of money for the
- 39 remediation of pupils who are enrolled in the school; and
- 40 (7) A description of the disciplinary problems of the pupils
- 41 who are enrolled in the school, including, without limitation, the
- 42 information contained in paragraphs ~~[(k) to (n)]~~ (m) to (p),
- 43 inclusive, of subsection 2 of NRS 385.347.
- 44 2. On or before November 1, the support team shall submit a
- 45 copy of the final written report to the:



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- 1 (a) Principal of the school;
- 2 (b) Board of trustees of the school district in which the school is
- 3 located;
- 4 (c) Superintendent of schools of the school district in which the
- 5 school is located;
- 6 (d) Department; and
- 7 (e) Bureau.

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

11 **Sec. 4.** NRS 385.620 is hereby amended to read as follows:

12 385.620 The Advisory Council shall:

13 1. Review the policy of parental involvement adopted by the
14 State Board and the policy of parental involvement adopted by the
15 board of trustees of each school district pursuant to NRS 392.457;

16 2. Review the information relating to communication with and
17 participation of parents that is included in the annual report of
18 accountability for each school district pursuant to paragraph ~~(f)~~ (l)
19 of subsection 2 of NRS 385.347;

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

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

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

31 6. Identify the manner in which the level of parental
32 involvement affects the performance, attendance and discipline of
33 pupils;

34 7. Identify methods to communicate effectively with and
35 provide outreach to parents and legal guardians of pupils who are
36 limited English proficient;

37 8. Determine the necessity for the appointment of a statewide
38 parental involvement coordinator or a parental involvement
39 coordinator in each school district, or both;

40 9. On or before July 1 of each year, submit a report to the
41 Legislative Committee on Education describing the activities of the
42 Advisory Council and any recommendations for legislation; and

43 10. On or before February 1 of each odd-numbered year,
44 submit a report to the Director of the Legislative Counsel Bureau for
45 transmission to the next regular session of the Legislature describing



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1 the activities of the Advisory Council and any recommendations for
2 legislation.

3 **Sec. 5.** NRS 386.520 is hereby amended to read as follows:

4 386.520 1. A committee to form a charter school must
5 consist of at least three teachers, as defined in subsection 4. In
6 addition to the teachers who serve, the committee may consist of:

7 (a) Members of the general public;

8 (b) Representatives of nonprofit organizations and businesses;
9 or

10 (c) Representatives of a college or university within the Nevada
11 System of Higher Education.

12 ➤ A majority of the persons described in paragraphs (a), (b) and (c)
13 who serve on the committee must be residents of this State at the
14 time that the application to form the charter school is submitted to
15 the Department.

16 2. Before a committee to form a charter school may submit an
17 application to the board of trustees of a school district, the
18 Subcommittee on Charter Schools, the State Board or a college or
19 university within the Nevada System of Higher Education, it must
20 submit the application to the Department. The application must
21 include all information prescribed by the Department by regulation
22 and:

23 (a) A written description of how the charter school will carry out
24 the provisions of NRS 386.500 to 386.610, inclusive.

25 (b) A written description of the mission and goals for the charter
26 school. A charter school must have as its stated purpose at least one
27 of the following goals:

28 (1) Improving the opportunities for pupils to learn;

29 (2) Encouraging the use of effective methods of teaching;

30 (3) Providing an accurate measurement of the educational
31 achievement of pupils;

32 (4) Establishing accountability of public schools;

33 (5) Providing a method for public schools to measure
34 achievement based upon the performance of the schools; or

35 (6) Creating new professional opportunities for teachers.

36 (c) The projected enrollment of pupils in the charter school.

37 (d) The proposed dates of enrollment for the charter school.

38 (e) The proposed system of governance for the charter school,
39 including, without limitation, the number of persons who will
40 govern, the method of selecting the persons who will govern and the
41 term of office for each person.

42 (f) The method by which disputes will be resolved between the
43 governing body of the charter school and the sponsor of the charter
44 school.



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(g) The proposed curriculum for the charter school and, if applicable to the grade level of pupils who are enrolled in the charter school, the requirements for the pupils to receive a high school diploma, including, without limitation, whether those pupils will satisfy the requirements of the school district in which the charter school is located for receipt of a high school diploma.

(h) The textbooks that will be used at the charter school.

(i) The qualifications of the persons who will provide instruction at the charter school.

(j) Except as otherwise required by NRS 386.595, the process by which the governing body of the charter school will negotiate employment contracts with the employees of the charter school.

(k) A financial plan for the operation of the charter school. The plan must include, without limitation, procedures for the audit of the programs and finances of the charter school and guidelines for determining the financial liability if the charter school is unsuccessful.

(l) A statement of whether the charter school will provide for the transportation of pupils to and from the charter school. If the charter school will provide transportation, the application must include the proposed plan for the transportation of pupils. If the charter school will not provide transportation, the application must include a statement that the charter school will work with the parents and guardians of pupils enrolled in the charter school to develop a plan for transportation to ensure that pupils have access to transportation to and from the charter school.

(m) The procedure for the evaluation of teachers of the charter school, if different from the procedure prescribed in NRS 391.3125 **[H] and section 9 of this act**. If the procedure is different from the procedure prescribed in NRS 391.3125 **[H] and section 9 of this act**, the procedure for the evaluation of teachers of the charter school must provide the same level of protection and otherwise comply with the standards for evaluation set forth in NRS 391.3125 **[H] and section 9 of this act**.

(n) The time by which certain academic or educational results will be achieved.

(o) The kind of school, as defined in subsections 1 to 4, inclusive, of NRS 388.020, for which the charter school intends to operate.

(p) A statement of whether the charter school will enroll pupils who are in a particular category of at-risk pupils before enrolling other children who are eligible to attend the charter school pursuant to NRS 386.580 and the method for determining eligibility for enrollment in each such category of at-risk pupils served by the charter school.



3. The Department shall review an application to form a charter school to determine whether it is complete. If an application proposes to convert an existing public school, homeschool or other program of home study into a charter school, the Department shall deny the application. The Department shall provide written notice to the applicant of its approval or denial of the application. If the Department denies an application, the Department shall include in the written notice the reason for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application.

4. As used in subsection 1, "teacher" means a person who:

(a) Holds a current license to teach issued pursuant to chapter 391 of NRS; and

(b) Has at least 2 years of experience as an employed teacher.

➔ The term does not include a person who is employed as a substitute teacher.

Sec. 6. NRS 388.795 is hereby amended to read as follows:

388.795 1. The Commission shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the Commission shall consider:

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

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

(c) The information reported pursuant to paragraph ~~(v)~~ (v) of subsection 2 of NRS 385.347;

(d) The results of the assessment of needs conducted pursuant to subsection 6; and

(e) Any other information that the Commission or the Committee deems relevant to the preparation of the plan.

2. The plan established by the Commission must include recommendations for methods to:

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

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

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

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

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



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

3 3. The Department shall provide:

4 (a) Administrative support;

5 (b) Equipment; and

6 (c) Office space,

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

9 4. The following entities shall cooperate with the Commission
10 in carrying out the provisions of this section:

11 (a) The State Board.

12 (b) The board of trustees of each school district.

13 (c) The superintendent of schools of each school district.

14 (d) The Department.

15 5. The Commission shall:

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

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

27 (c) Establish criteria for the board of trustees of a school district
28 that receives an allocation of money from the Commission to:

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

30 (2) Upgrade and improve computer hardware and software
31 and other educational technology.

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

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

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

39 (f) In addition to the recommendations set forth in the plan
40 pursuant to subsection 2, make further recommendations to the
41 Committee and the Department as the Commission deems
42 necessary.

43 6. During the spring semester of each even-numbered school
44 year, the Commission shall conduct an assessment of the needs of



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1 each school district relating to educational technology. In
2 conducting the assessment, the Commission shall consider:

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

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

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

9 (d) Any other information deemed relevant by the Commission.

10 ➔ The Commission shall submit a final written report of the
11 assessment to the Superintendent of Public Instruction on or before
12 April 1 of each even-numbered year.

13 7. The Superintendent of Public Instruction shall prepare a
14 written compilation of the results of the assessment conducted by
15 the Commission and transmit the written compilation on or before
16 June 1 of each even-numbered year to the Legislative Committee on
17 Education and to the Director of the Legislative Counsel Bureau for
18 transmission to the next regular session of the Legislature.

19 8. The Commission may appoint an advisory committee
20 composed of members of the Commission or other qualified persons
21 to provide recommendations to the Commission regarding standards
22 for the establishment, coordination and use of a telecommunications
23 network in the public schools throughout the various school districts
24 in this State. The advisory committee serves at the pleasure of the
25 Commission and without compensation unless an appropriation or
26 other money for that purpose is provided by the Legislature.

27 9. As used in this section, "public school" includes the Caliente
28 Youth Center, the Nevada Youth Training Center and any other
29 state facility for the detention of children that is operated pursuant to
30 title 5 of NRS.

31 **Sec. 7.** Chapter 391 of NRS is hereby amended by adding
32 thereto the provisions set forth as sections 8 and 9 of this act.

33 **Sec. 8. 1. *The board of trustees of each school district***
34 ***shall:***

35 ***(a) Establish a program of performance pay and enhanced***
36 ***compensation for the recruitment and retention of licensed***
37 ***teachers and administrators which must be negotiated pursuant to***
38 ***chapter 288 of NRS; and***

39 ***(b) Commencing with the 2014-2015 school year, implement***
40 ***the program established pursuant to paragraph (a).***

41 ***2. The program of performance pay and enhanced***
42 ***compensation established by a school district pursuant to***
43 ***subsection 1 must have as its primary focus the improvement in***
44 ***the academic achievement of pupils and must give appropriate***
45 ***consideration to implementation in at-risk schools. In addition, the***



1 *program may include, without limitation, the following*
2 *components:*

3 *(a) Career leadership advancement options to maximize the*
4 *retention of teachers in the classroom and the retention of*
5 *administrators;*

6 *(b) Professional development;*

7 *(c) Group incentives; and*

8 *(d) Multiple assessments of individual teachers and*
9 *administrators, with primary emphasis on individual pupil*
10 *improvement and growth in academic achievement, including,*
11 *without limitation, portfolios of instruction, leadership and*
12 *professional growth, and other appropriate measures of teacher*
13 *and administrator performance which must be considered.*

14 **Sec. 9. 1.** *If a written evaluation of a probationary teacher*
15 *or probationary administrator designates the overall performance*
16 *of the teacher or administrator as “unsatisfactory”:*

17 *(a) The written evaluation must include the following*
18 *statement: “Please be advised that, pursuant to Nevada law, your*
19 *contract may not be renewed for the next school year. If you*
20 *receive two evaluations for this school year which designate your*
21 *performance as ‘unsatisfactory,’ and if you have another*
22 *evaluation remaining this school year, you may request that the*
23 *evaluation be conducted by another administrator. You may also*
24 *request, to the administrator who conducted the evaluation,*
25 *reasonable assistance in correcting the deficiencies reported in the*
26 *evaluation for which you request assistance, and upon such*
27 *request, a reasonable effort will be made to assist you in correcting*
28 *those deficiencies.”*

29 *(b) The probationary teacher or probationary administrator, as*
30 *applicable, must acknowledge in writing that he or she*
31 *has received and understands the statement described in*
32 *paragraph (a).*

33 **2.** *If a probationary teacher or probationary administrator*
34 *requests that his or her next evaluation be conducted by another*
35 *administrator in accordance with the notice required by subsection*
36 *1, the administrator conducting the evaluation must be:*

37 *(a) Employed by the school district or, if the school district has*
38 *five or fewer administrators, employed by another school district*
39 *in this State; and*

40 *(b) Selected by the superintendent and the probationary*
41 *teacher or probationary administrator, as applicable.*

42 **3.** *If a probationary teacher or probationary administrator*
43 *requests assistance in correcting deficiencies reported in his or her*
44 *evaluation, the administrator who conducted the evaluation shall*



ensure that a reasonable effort is made to assist the probationary teacher or administrator in correcting those deficiencies.

Sec. 10. NRS 391.311 is hereby amended to read as follows:

391.311 As used in NRS 391.311 to 391.3197, inclusive, *and section 9 of this act*, unless the context otherwise requires:

1. "Administrator" means any employee who holds a license as an administrator and who is employed in that capacity by a school district.

2. "Board" means the board of trustees of the school district in which a licensed employee affected by NRS 391.311 to 391.3197, inclusive, *and section 9 of this act* is employed.

3. "Demotion" means demotion of an administrator to a position of lesser rank, responsibility or pay and does not include transfer or reassignment for purposes of an administrative reorganization.

4. "Immorality" means:

(a) An act forbidden by NRS 200.366, 200.368, 200.400, 200.508, 201.180, 201.190, 201.210, 201.220, 201.230, 201.265, 201.540, 201.560, 207.260, 453.316 to 453.336, inclusive, 453.337, 453.338, 453.3385 to 453.3405, inclusive, 453.560 or 453.562; or

(b) An act forbidden by NRS 201.540 or any other sexual conduct or attempted sexual conduct with a pupil enrolled in an elementary or secondary school. As used in this paragraph, "sexual conduct" has the meaning ascribed to it in NRS 201.520.

5. "Postprobationary employee" means an administrator or a teacher who has completed the probationary period as provided in NRS 391.3197 and has been given notice of reemployment.

6. "Probationary employee" means an administrator or a teacher who is employed for the period set forth in NRS 391.3197.

7. "Superintendent" means the superintendent of a school district or a person designated by the board or superintendent to act as superintendent during the absence of the superintendent.

8. "Teacher" means a licensed employee the majority of whose working time is devoted to the rendering of direct educational service to pupils of a school district.

Sec. 11. NRS 391.3115 is hereby amended to read as follows:

391.3115 1. The demotion, suspension, dismissal and nonreemployment provisions of NRS 391.311 to 391.3197, inclusive, do not apply to:

(a) Substitute teachers; or

(b) Adult education teachers.

2. *The admonition, demotion, suspension, dismissal and nonreemployment provisions of NRS 391.311 to 391.3194, inclusive, do not apply to:*



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1 (a) A probationary teacher. The policy for evaluations
2 prescribed in NRS 391.3125 and section 9 of this act applies to a
3 probationary teacher.

4 (b) A new employee who is employed as a probationary
5 administrator. The policy for evaluations prescribed in NRS
6 391.3127 and section 9 of this act applies to a probationary
7 administrator.

8 3. The admonition, demotion and suspension provisions of
9 NRS 391.311 to 391.3194, inclusive, do not apply to a
10 postprobationary teacher who is employed as a probationary
11 administrator with respect to his or her employment in the
12 administrative position. The policy for evaluations prescribed in
13 NRS 391.3127 and section 9 of this act applies to a probationary
14 administrator.

15 4. The provisions of NRS 391.311 to 391.3194, inclusive, and
16 section 9 of this act do not apply to a teacher whose employment is
17 suspended or terminated pursuant to subsection 3 of NRS 391.120
18 or NRS 391.3015 for failure to maintain a license in force.

19 ~~3-1~~ 5. A licensed employee who is employed in a position
20 fully funded by a federal or private categorical grant or to replace
21 another licensed employee during that employee's leave of absence
22 is employed only for the duration of the grant or leave. Such a
23 licensed employee and licensed employees who are employed on
24 temporary contracts for 90 school days or less, or its equivalent in a
25 school district operating under an alternative schedule authorized
26 pursuant to NRS 388.090, to replace licensed employees whose
27 employment has terminated after the beginning of the school year
28 are entitled to credit for that time in fulfilling any period of
29 probation and during that time the provisions of NRS 391.311 to
30 391.3197, inclusive, and section 9 of this act for demotion,
31 suspension or dismissal apply to them.

32 **Sec. 12.** NRS 391.312 is hereby amended to read as follows:

33 391.312 1. A teacher may be suspended, dismissed or not
34 reemployed and an administrator may be demoted, suspended,
35 dismissed or not reemployed for the following reasons:

- 36 (a) Inefficiency;
37 (b) Immorality;
38 (c) Unprofessional conduct;
39 (d) Insubordination;
40 (e) Neglect of duty;
41 (f) Physical or mental incapacity;
42 (g) A justifiable decrease in the number of positions due to
43 decreased enrollment or district reorganization;
44 (h) Conviction of a felony or of a crime involving moral
45 turpitude;



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- 1 (i) Inadequate performance;
- 2 (j) Evident unfitness for service;
- 3 (k) Failure to comply with such reasonable requirements as a
- 4 board may prescribe;
- 5 (l) Failure to show normal improvement and evidence of
- 6 professional training and growth;
- 7 (m) Advocating overthrow of the Government of the United
- 8 States or of the State of Nevada by force, violence or other unlawful
- 9 means, or the advocating or teaching of communism with the intent
- 10 to indoctrinate pupils to subscribe to communistic philosophy;
- 11 (n) Any cause which constitutes grounds for the revocation of a
- 12 teacher's license;
- 13 (o) Willful neglect or failure to observe and carry out the
- 14 requirements of this title;
- 15 (p) Dishonesty;
- 16 (q) Breaches in the security or confidentiality of the questions
- 17 and answers of the achievement and proficiency examinations that
- 18 are administered pursuant to NRS 389.015;
- 19 (r) Intentional failure to observe and carry out the requirements
- 20 of a plan to ensure the security of examinations adopted pursuant to
- 21 NRS 389.616 or 389.620; ~~for~~
- 22 (s) An intentional violation of NRS 388.5265 or 388.527 ~~§~~; *or*
- 23 *(t) Gross misconduct.*

24 2. In determining whether the professional performance of a
25 licensed employee is inadequate, consideration must be given to the
26 regular and special evaluation reports prepared in accordance with
27 the policy of the employing school district and to any written
28 standards of performance which may have been adopted by the
29 board.

30 *3. As used in this section, "gross misconduct" includes any*
31 *act or omission that is in wanton, willful, reckless or deliberate*
32 *disregard of the interests of a school or school district or a pupil*
33 *thereof.*

34 **Sec. 13.** NRS 391.3125 is hereby amended to read as follows:

35 391.3125 1. It is the intent of the Legislature that a uniform
36 system be developed for objective evaluation of teachers and other
37 licensed personnel in each school district.

38 2. Each board, following consultation with and involvement of
39 elected representatives of the teachers or their designees, shall
40 develop a policy for objective evaluations in narrative form. The
41 policy must set forth a means according to which an employee's
42 overall performance may be determined to be satisfactory or
43 unsatisfactory. The policy may include an evaluation by the teacher,
44 pupils, administrators or other teachers or any combination thereof.
45 In a similar manner, counselors, librarians and other licensed



1 personnel must be evaluated on forms developed specifically for
2 their respective specialties. A copy of the policy adopted by the
3 board must be filed with the Department. The primary purpose of an
4 evaluation is to provide a format for constructive assistance.
5 Evaluations, while not the sole criterion, must be used in the
6 dismissal process.

7 3. A conference and a written evaluation for a probationary
8 employee must be concluded not later than:

9 (a) December 1;

10 (b) February 1; and

11 (c) April 1,

12 ➤ of each school year of the probationary period, except that a
13 probationary employee assigned to a school that operates all year
14 must be evaluated at least three times during each 12 months of
15 employment on a schedule determined by the board. An
16 administrator charged with the evaluation of a probationary teacher
17 shall personally observe the performance of the teacher in the
18 classroom for not less than a cumulative total of 60 minutes during
19 each evaluation period, with at least one observation during that
20 60-minute evaluation period consisting of at least 45 consecutive
21 minutes.

22 4. ~~[Whenever an administrator charged with the evaluation of a~~
23 ~~probationary employee believes the employee will not be~~
24 ~~reemployed for the second year of the probationary period or the~~
25 ~~school year following the probationary period, the administrator~~
26 ~~shall bring the matter to the employee's attention in a written~~
27 ~~document which is separate from the evaluation not later than~~
28 ~~March 1 of the current school year. The notice must include the~~
29 ~~reasons for the potential decision not to reemploy or refer to the~~
30 ~~evaluation in which the reasons are stated. Such a notice is not~~
31 ~~required if the probationary employee has received a letter of~~
32 ~~admonition during the current school year.~~

33 —5.] Each postprobationary teacher must be evaluated at least
34 once each year. An administrator charged with the evaluation of a
35 postprobationary teacher shall personally observe the performance
36 of the teacher in the classroom for not less than a cumulative total of
37 60 minutes during each evaluation period, with at least one
38 observation during that 60-minute evaluation period consisting of at
39 least 30 consecutive minutes.

40 ~~[6.]~~ 5. The evaluation of a probationary teacher or a
41 postprobationary teacher must include, without limitation:

42 (a) An evaluation of the classroom management skills of the
43 teacher;

44 (b) A review of the lesson plans and the work log or grade book
45 of pupils prepared by the teacher;



(c) An evaluation of whether the curriculum taught by the teacher is aligned with the standards of content and performance established pursuant to NRS 389.520, as applicable for the grade level taught by the teacher;

(d) An evaluation of whether the teacher is appropriately addressing the needs of the pupils in the classroom, including, without limitation, special educational needs, cultural and ethnic diversity, the needs of pupils enrolled in advanced courses of study and the needs of pupils who are limited English proficient;

(e) If necessary, recommendations for improvements in the performance of the teacher;

(f) A description of the action that will be taken to assist the teacher in correcting any deficiencies reported in the evaluation; and

(g) A statement by the administrator who evaluated the teacher indicating the amount of time that the administrator personally observed the performance of the teacher in the classroom.

~~[7-]~~ **6.** The teacher must receive a copy of each evaluation not later than 15 days after the evaluation. A copy of the evaluation and the teacher's response must be permanently attached to the teacher's personnel file. Upon the request of a teacher, a reasonable effort must be made to assist the teacher to correct those deficiencies reported in the evaluation of the teacher for which the teacher requests assistance.

Sec. 14. NRS 391.3125 is hereby amended to read as follows:

391.3125 1. It is the intent of the Legislature that a uniform system be developed for objective evaluation of teachers and other licensed personnel in each school district.

2. Each board, following consultation with and involvement of elected representatives of the teachers or their designees, shall develop a policy for objective evaluations in narrative form. The policy must set forth a means according to which an employee's overall performance is determined to be ~~[satisfactory or unsatisfactory-]~~ *highly effective, effective, minimally effective or ineffective*. The policy may include an evaluation by the teacher, pupils, administrators or other teachers or any combination thereof. In a similar manner, counselors, librarians and other licensed personnel must be evaluated on forms developed specifically for their respective specialties. A copy of the policy adopted by the board must be filed with the Department. The primary purpose of an evaluation is to provide a format for constructive assistance. Evaluations, while not the sole criterion, must be used in the dismissal process.

3. A conference and a written evaluation for a probationary employee must be concluded not later than:

(a) December 1;



(b) February 1; and

(c) April 1,

→ of each school year of the probationary period, except that a probationary employee assigned to a school that operates all year must be evaluated at least three times during each 12 months of employment on a schedule determined by the board. An administrator charged with the evaluation of a probationary teacher shall personally observe the performance of the teacher in the classroom for not less than a cumulative total of 60 minutes during each evaluation period, with at least one observation during that 60-minute evaluation period consisting of at least 45 consecutive minutes.

4. Each postprobationary teacher must be evaluated at least once each year. An administrator charged with the evaluation of a postprobationary teacher shall personally observe the performance of the teacher in the classroom for not less than a cumulative total of 60 minutes during each evaluation period, with at least one observation during that 60-minute evaluation period consisting of at least 30 consecutive minutes.

5. The evaluation of a probationary teacher or a postprobationary teacher must include, without limitation:

(a) An evaluation of the classroom management skills of the teacher;

(b) A review of the lesson plans and the work log or grade book of pupils prepared by the teacher;

(c) An evaluation of whether the curriculum taught by the teacher is aligned with the standards of content and performance established pursuant to NRS 389.520, as applicable for the grade level taught by the teacher;

(d) An evaluation of whether the teacher is appropriately addressing the needs of the pupils in the classroom, including, without limitation, special educational needs, cultural and ethnic diversity, the needs of pupils enrolled in advanced courses of study and the needs of pupils who are limited English proficient;

(e) If necessary, recommendations for improvements in the performance of the teacher;

(f) A description of the action that will be taken to assist the teacher in correcting any deficiencies reported in the evaluation; and

(g) A statement by the administrator who evaluated the teacher indicating the amount of time that the administrator personally observed the performance of the teacher in the classroom.

6. The teacher must receive a copy of each evaluation not later than 15 days after the evaluation. A copy of the evaluation and the teacher's response must be permanently attached to the teacher's personnel file. Upon the request of a teacher, a reasonable effort



1 must be made to assist the teacher to correct those deficiencies
2 reported in the evaluation of the teacher for which the teacher
3 requests assistance.

4 **Sec. 15.** NRS 391.3127 is hereby amended to read as follows:

5 391.3127 1. Each board, following consultation with and
6 involvement of elected representatives of administrative personnel
7 or their designated representatives, shall develop an objective policy
8 for the objective evaluation of administrators in narrative form. The
9 policy must set forth a means according to which an administrator's
10 overall performance may be determined to be satisfactory or
11 unsatisfactory. The policy may include an evaluation by the
12 administrator, superintendent, pupils or other administrators or any
13 combination thereof. A copy of the policy adopted by the board
14 must be filed with the Department and made available to the
15 Commission.

16 2. Each administrator must be evaluated in writing at least once
17 a year.

18 3. *Each probationary administrator is subject to the*
19 *provisions of NRS 391.3197 and section 9 of this act.*

20 4. Before a superintendent transfers or assigns an administrator
21 to another administrative position as part of an administrative
22 reorganization, if the transfer or reassignment is to a position of
23 lower rank, responsibility or pay, the superintendent shall give
24 written notice of the proposed transfer or assignment to the
25 administrator at least 30 days before the date on which it is to be
26 effective. The administrator may appeal the decision of the
27 superintendent to the board by requesting a hearing in writing to the
28 president of the board within 5 days after receiving the notice from
29 the superintendent. The board shall hear the matter within 10 days
30 after the president receives the request, and shall render its decision
31 within 5 days after the hearing. The decision of the board is final.

32 **Sec. 16.** NRS 391.3127 is hereby amended to read as follows:

33 391.3127 1. Each board, following consultation with and
34 involvement of elected representatives of administrative personnel
35 or their designated representatives, shall develop an objective policy
36 for the objective evaluation of administrators in narrative form. The
37 policy must set forth a means according to which an administrator's
38 overall performance is determined to be ~~[satisfactory or~~
39 ~~unsatisfactory.]~~ *highly effective, effective, minimally effective or*
40 *ineffective.* The policy may include an evaluation by the
41 administrator, superintendent, pupils or other administrators or any
42 combination thereof. A copy of the policy adopted by the board
43 must be filed with the Department and made available to the
44 Commission.



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2. Each administrator must be evaluated in writing at least once a year.

3. Each probationary administrator is subject to the provisions of NRS 391.3197 and section 9 of this act.

4. Before a superintendent transfers or assigns an administrator to another administrative position as part of an administrative reorganization, if the transfer or reassignment is to a position of lower rank, responsibility or pay, the superintendent shall give written notice of the proposed transfer or assignment to the administrator at least 30 days before the date on which it is to be effective. The administrator may appeal the decision of the superintendent to the board by requesting a hearing in writing to the president of the board within 5 days after receiving the notice from the superintendent. The board shall hear the matter within 10 days after the president receives the request, and shall render its decision within 5 days after the hearing. The decision of the board is final.

Sec. 17. NRS 391.313 is hereby amended to read as follows:

391.313 1. Whenever an administrator charged with supervision of a licensed employee believes it is necessary to admonish the employee for a reason that the administrator believes may lead to demotion or dismissal or may cause the employee not to be reemployed under the provisions of NRS 391.312, the administrator shall:

(a) Except as otherwise provided in subsection 3, bring the matter to the attention of the employee involved, in writing, stating the reasons for the admonition and that it may lead to the employee's demotion, dismissal or a refusal to reemploy him or her, and make a reasonable effort to assist the employee to correct whatever appears to be the cause for the employee's potential demotion, dismissal or a potential recommendation not to reemploy him or her; and

(b) Except as otherwise provided in NRS 391.314, allow reasonable time for improvement, which must not exceed 3 months for the first admonition.

➔ The admonition must include a description of the deficiencies of the teacher and the action that is necessary to correct those deficiencies.

2. An admonition issued to a licensed employee who, within the time granted for improvement, has met the standards set for the employee by the administrator who issued the admonition must be removed from the records of the employee together with all notations and indications of its having been issued. The admonition must be removed from the records of the employee not later than 3 years after it is issued.



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3. An administrator need not admonish an employee pursuant to paragraph (a) of subsection 1 if his or her employment will be terminated pursuant to NRS 391.3197. ~~[If by March 1 of the first or second year of the employee's probationary period a probationary employee does not receive a written notice pursuant to subsection 4 of NRS 391.3125 of a potential decision not to reemploy him or her, the employee must receive an admonition before any such decision is made.]~~

4. A licensed employee is subject to immediate dismissal or a refusal to reemploy according to the procedures provided in NRS 391.311 to 391.3197, inclusive, *and section 9 of this act* without the admonition required by this section, on grounds contained in paragraphs (b), (f), (g), (h) , ~~[and]~~ (p) *and (t)* of subsection 1 of NRS 391.312.

Sec. 18. NRS 391.317 is hereby amended to read as follows:

391.317 1. At least 15 days before recommending to a board that it demote, dismiss or not reemploy a postprobationary employee, ~~[for dismiss or demote a probationary employee,]~~ the superintendent shall give written notice to the employee, by registered or certified mail, of the superintendent's intention to make the recommendation.

2. The notice must:

(a) Inform the licensed employee of the grounds for the recommendation.

(b) Inform the employee that, if a written request therefor is directed to the superintendent within 10 days after receipt of the notice, the employee is entitled to a hearing before a hearing officer ~~[]~~ *pursuant to NRS 391.315 to 391.3194, inclusive, or if a dismissal of the employee will occur before the completion of the current school year, the employee may request an expedited hearing pursuant to subsection 3.*

(c) Refer to chapter 391 of NRS.

3. If a postprobationary employee receives notice pursuant to subsection 1 that he or she will be dismissed before the completion of the current school year, the employee may request an expedited hearing pursuant to the Expedited Labor Arbitration Procedures established by the American Arbitration Association or its successor organization. If the employee elects to proceed under the expedited procedures, the provisions of NRS 391.3161, 391.3192 and 391.3193 do not apply.

Sec. 19. NRS 391.3197 is hereby amended to read as follows:

391.3197 1. A probationary employee is employed on a contract basis for ~~[two]~~ *three* 1-year periods and has no right to employment after ~~[either]~~ *any* of the ~~[two]~~ *three* probationary contract years.



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2. The board shall notify each probationary employee in writing on or before May 1 of the first , ~~and~~ second *and third* school years of the employee's probationary period, as appropriate, whether the employee is to be reemployed for the second *or third* year of the probationary period or for the ~~next~~ *fourth* school year as a postprobationary employee. *Failure of the board to notify the probationary employee in writing on or before May 1 in the first or second year of the probationary period does not entitle the employee to postprobationary status.* The employee must advise the board in writing on or before May 10 of the first , ~~or~~ second *or third* year of the employee's probationary period, as appropriate, of the employee's acceptance of reemployment. If a probationary employee is assigned to a school that operates all year, the board shall notify the employee in writing, in ~~both~~ the first , ~~and~~ second *and third* years of the employee's probationary period, no later than 45 days before his or her last day of work for the year under his or her contract whether the employee is to be reemployed for the second *or third* year of the probationary period or for the ~~next~~ *fourth* school year as a postprobationary employee. *Failure of the board to notify a probationary employee in writing within the prescribed period in the first or second year of the probationary period does not entitle the employee to postprobationary status.* The employee must advise the board in writing within 10 days after the date of notification of his or her acceptance or rejection of reemployment for another year. Failure to advise the board of the employee's acceptance of reemployment *pursuant to this subsection* constitutes rejection of the contract.

3. A probationary employee who completes a ~~2-year~~ *3-year* probationary period and receives a notice of reemployment from the school district in the ~~second~~ *third* year of the employee's probationary period is entitled to be a postprobationary employee in the ensuing year of employment.

~~4. If a probationary employee receives notice pursuant to subsection 4 of NRS 391.3125 not later than March 1 of a potential decision not to reemploy him or her, the employee may request a supplemental evaluation by another administrator in the school district selected by the employee and the superintendent. If a school district has five or fewer administrators, the supplemental evaluator may be an administrator from another school district in this State. If a probationary employee has received during the first school year of the employee's probationary period three evaluations which state that the employee's overall performance has been satisfactory, the superintendent of schools of the school district or the superintendent's designee shall waive the second year of the employee's probationary period by expressly providing in writing~~



~~on the final evaluation of the employee for the first probationary year that the second year of the employee's probationary period is waived. Such an employee is entitled to be a postprobationary employee in the ensuing year of employment.~~

~~—5.]~~ If a probationary employee is notified that the employee will not be reemployed for the ~~[second year of the employee's probationary period or the ensuing]~~ school year ~~[.]~~ *following the 3-year probationary period*, his or her employment ends on the last day of the current school year. The notice that the employee will not be reemployed must include a statement of the reasons for that decision.

~~[6.]~~ *5.* A new employee *who is employed as an administrator* or a postprobationary teacher who is employed as an administrator shall be deemed to be a probationary employee for the purposes of this section and must serve a ~~[2-year]~~ *3-year* probationary period as an administrator in accordance with the provisions of this section. ~~[If the administrator does not receive an unsatisfactory evaluation during the first year of probation, the superintendent or the superintendent's designee shall waive the second year of the administrator's probationary period. Such an administrator is entitled to be a postprobationary employee in the ensuing year of employment.]~~ If:

(a) A postprobationary teacher who is an administrator is not reemployed as an administrator after ~~[either]~~ *any* year of his or her probationary period; and

(b) There is a position as a teacher available for the ensuing school year in the school district in which the person is employed, ➔ the board of trustees of the school district shall, on or before May 1, offer the person a contract as a teacher for the ensuing school year. The person may accept the contract in writing on or before May 10. If the person fails to accept the contract as a teacher, the person shall be deemed to have rejected the offer of a contract as a teacher.

~~[7.]~~ *6.* An administrator who has completed his or her probationary period pursuant to subsection ~~[6]~~ *5* and is thereafter promoted to the position of principal must serve an additional probationary period of 1 year in the position of principal. *If an administrator is promoted to the position of principal before completion of his or her probationary period pursuant to subsection 5, the administrator must serve the remainder of his or her probationary period pursuant to subsection 5 or an additional probationary period of 1 year in the position of principal, whichever is longer.* If the administrator serving the additional probationary period is not reemployed as a principal after the expiration of the *probationary period or* additional probationary



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1 period, *as applicable*, the board of trustees of the school district in
2 which the person is employed shall, on or before May 1, offer the
3 person a contract for the ensuing school year for the administrative
4 position in which the person attained postprobationary status. The
5 person may accept the contract in writing on or before May 10. If
6 the person fails to accept such a contract, the person shall be deemed
7 to have rejected the offer of employment.

8 ~~[8.— Before dismissal, the probationary employee is entitled to a~~
9 ~~hearing before a hearing officer which affords due process as set out~~
10 ~~in NRS 391.311 to 391.3196, inclusive.]~~

11 **Sec. 20.** Section 9 of this act is hereby amended to read as
12 follows:

13 Sec. 9. 1. If a written evaluation of a probationary
14 teacher or probationary administrator designates the overall
15 performance of the teacher or administrator as
16 ~~["unsatisfactory"]~~ *"minimally effective" or "ineffective"*:

17 (a) The written evaluation must include the following
18 statement: "Please be advised that, pursuant to Nevada law,
19 your contract may not be renewed for the next school year. If
20 you receive two evaluations for this school year which
21 designate your performance as ~~["unsatisfactory,"]~~ *'minimally*
22 *effective' or 'ineffective,'* and if you have another evaluation
23 remaining this school year, you may request that the
24 evaluation be conducted by another administrator. You may
25 also request, to the administrator who conducted the
26 evaluation, reasonable assistance in correcting the
27 deficiencies reported in the evaluation for which you request
28 assistance, and upon such request, a reasonable effort will be
29 made to assist you in correcting those deficiencies."

30 (b) The probationary teacher or probationary
31 administrator, as applicable, must acknowledge in writing
32 that he or she has received and understands the statement
33 described in paragraph (a).

34 2. If a probationary teacher or probationary
35 administrator requests that his or her next evaluation be
36 conducted by another administrator in accordance with the
37 notice required by subsection 1, the administrator conducting
38 the evaluation must be:

39 (a) Employed by the school district or, if the school
40 district has five or fewer administrators, employed by another
41 school district in this State; and

42 (b) Selected by the superintendent and the probationary
43 teacher or probationary administrator, as applicable.

44 3. If a probationary teacher or probationary
45 administrator requests assistance in correcting deficiencies



1 reported in his or her evaluation, the administrator who
2 conducted the evaluation shall ensure that a reasonable effort
3 is made to assist the probationary teacher or administrator in
4 correcting those deficiencies.

5 **Sec. 21.** The provisions of section 9 of this act, NRS 391.311
6 to 391.3125, inclusive, as amended by sections 10 to 13, inclusive,
7 of this act, NRS 391.3127, as amended by section 15 of this act,
8 NRS 391.313, as amended by section 17 of this act, NRS 391.317,
9 as amended by section 18 of this act, and NRS 391.3197, as
10 amended by section 19 of this act, apply to all:

11 1. Teachers who are initially employed by a school district on
12 or after July 1, 2011.

13 2. A new employee who is hired by a school district as an
14 administrator on or after July 1, 2011.

15 3. A postprobationary teacher who is employed as an
16 administrator on or after July 1, 2011.

17 **Sec. 22.** The board of trustees of each school district shall:

18 1. Commencing with the 2013-2104 school year, implement
19 and carry out the policies for evaluations of teachers and
20 administrators required by NRS 391.3125, as amended by section
21 14 of this act, NRS 391.3127, as amended by section 16 of this act,
22 and section 20 of this act.

23 2. Commencing with the 2014-2105 school year, implement
24 and carry out the program of performance pay and enhanced
25 compensation established by the board of trustees pursuant to
26 section 8 of this act.

27 **Sec. 23.** 1. This section and sections 1 to 7, inclusive, 9 to
28 13, inclusive, 15, 17, 18, 19, 21 and 22 of this act become effective
29 on July 1, 2011.

30 2. Sections 8, 14, 16 and 20 of this act become effective on
31 July 1, 2013.

