

ASSEMBLY BILL NO. 456—COMMITTEE ON EDUCATION

MARCH 28, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing the attendance of pupils and graduation from high school. (BDR 34-1140)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to education; authorizing certain pupils to receive a standard high school diploma without passing all subject areas of the high school proficiency examination under certain circumstances; authorizing the board of trustees of a school district to adopt a policy that allows certain pupils enrolled in high school the opportunity to make up credit; authorizing a juvenile court to impose certain orders against the parent or legal guardian of a child who is adjudicated in need of supervision because the child is a habitual truant; revising provisions governing employment of minors; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law prescribes a standard high school diploma and an adjusted
2 diploma and requires that to receive a standard high school diploma, a pupil must
3 satisfy the requirements for graduation from high school and either pass the high
4 school proficiency examination in its entirety or fail to pass certain subject areas on
5 the examination and satisfy certain alternative criteria prescribed by the State Board
6 of Education. (NRS 389.805) **Section 5** of this bill provides that a pupil who has
7 failed to pass the same subject area of the high school proficiency examination not
8 less than six times may receive a standard high school diploma if the pupil obtained
9 a cumulative score that meets the required cumulative score prescribed by the State
10 Board and also satisfies certain additional conditions.

11 **Section 6** of this bill authorizes school districts to adopt a policy that allows a
12 high school pupil who has failed to comply with minimum attendance requirements



the opportunity to make up the credits which the pupil missed during his or her absence.

Existing law prescribes the actions which must be taken by a juvenile court against a child who has been adjudicated in need of supervision because the child is a habitual truant. (NRS 62E.430) **Section 7** of this bill authorizes a juvenile court to order the parent or legal guardian of such a child to attend conferences with the child's teacher and appropriate school administrators to address the status of the child as a habitual truant and to develop a plan to ensure that the child attends school.

Section 8 of this bill authorizes the parent or legal guardian of a child between the ages of 16 and 18 years to indicate on a work permit that is issued to the child by the county, if any, the maximum number of hours that his or her child may work and the particular hours in which that work may occur during the week or on the weekend.

Existing law provides that a child under the age of 16 years may be employed in certain occupations for not more than 48 hours in any 1 week and 8 hours in any 1 day. (NRS 609.240) **Section 9** of this bill revises the hours that a child may be employed to 20 hours in any 1 week when school is in session and 48 hours in any 1 week when school is not in session.

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

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

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

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

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

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

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

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

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

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



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

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

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

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

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

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

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

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

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

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

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;



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(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.

(I) 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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

(II) Paragraph (b) of subsection 1 of NRS 389.805 ~~and~~ ;

and

(III) Subsection 4 of NRS 389.805.

(2) An adjusted diploma.

(3) A certificate of attendance.

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



1 number and percentage of pupils who failed to pass the high school
2 proficiency examination.

3 (cc) The number of habitual truants who are reported to a school
4 police officer or local law enforcement agency pursuant to
5 paragraph (a) of subsection 2 of NRS 392.144 and the number of
6 habitual truants who are referred to an advisory board to review
7 school attendance pursuant to paragraph (b) of subsection 2 of NRS
8 392.144, reported for each school district, including, without
9 limitation, each charter school in the district, and for this State as a
10 whole.

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

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

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

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

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

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

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

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

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

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



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

(6) The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination ~~or~~ *or otherwise failed to satisfy the requirements of NRS 389.805.*

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

3. The annual report of accountability must:

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

(b) Be prepared in a concise manner; and

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

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

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

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

(1) Governor;

(2) Committee;

(3) Bureau;

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

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

(6) Governing body of each charter school.

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

6. As used in this section:

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



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

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

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

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

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

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

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

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

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

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

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

(III) Pupils with disabilities;



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(IV) Pupils who are limited English proficient; and

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

(4) 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.

(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



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

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

7 (1) The percentage of teachers who are:

8 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

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

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

37 (5) For each elementary school:

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

44 (II) On and after July 1, 2006, the number of persons
45 employed as substitute teachers for less than 20 consecutive days,



1 designated as short-term substitute teachers, including the total
2 number of days short-term substitute teachers were employed at
3 each school, identified by grade level.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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(s) 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) The technological facilities and equipment available at each school, including, without limitation, each charter school, and the district's plan to incorporate educational technology at each school.

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

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

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

(II) Paragraph (b) of subsection 1 of NRS 389.805 ~~and~~ ;

and

(III) Subsection 4 of NRS 389.805.

(2) An adjusted diploma.

(3) A certificate of attendance.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

(5) The number and percentage of pupils who completed a program of career and technical education and who received a



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1 standard high school diploma, an adjusted diploma or a certificate of
2 attendance; and

3 (6) The number and percentage of pupils who completed a
4 program of career and technical education and who did not receive a
5 high school diploma because the pupils failed to pass the high
6 school proficiency examination **H** *or otherwise failed to satisfy the*
7 *requirements of NRS 389.805.*

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

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

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

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

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

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

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

28 5. The Superintendent of Public Instruction shall:

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

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

35 (c) Consult with a representative of the:

36 (1) Nevada State Education Association;

37 (2) Nevada Association of School Boards;

38 (3) Nevada Association of School Administrators;

39 (4) Nevada Parent Teacher Association;

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

41 and

42 (6) Legislative Counsel Bureau,

43 ➡ concerning the program and consider any advice or
44 recommendations submitted by the representatives with respect to
45 the program.



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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) 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 389.015 is hereby amended to read as follows:

389.015 1. The board of trustees of each school district shall administer examinations in all public schools of the school district. The governing body of a charter school shall administer the same examinations in the charter school. The examinations administered



1 by the board of trustees and governing body must determine the
2 achievement and proficiency of pupils in:

- 3 (a) Reading;
- 4 (b) Mathematics; and
- 5 (c) Science.

6 2. The examinations required by subsection 1 must be:

7 (a) Administered before the completion of grades 4, 7, 10
8 and 11.

9 (b) Administered in each school district and each charter school
10 at the same time during the spring semester. The time for the
11 administration of the examinations must be prescribed by the State
12 Board.

13 (c) Administered in each school in accordance with uniform
14 procedures adopted by the State Board. The Department shall
15 monitor the compliance of school districts and individual schools
16 with the uniform procedures.

17 (d) Administered in each school in accordance with the plan
18 adopted pursuant to NRS 389.616 by the Department and with the
19 plan adopted pursuant to NRS 389.620 by the board of trustees of
20 the school district in which the examinations are administered. The
21 Department shall monitor the compliance of school districts and
22 individual schools with:

23 (1) The plan adopted by the Department; and

24 (2) The plan adopted by the board of trustees of the
25 applicable school district, to the extent that the plan adopted by the
26 board of trustees of the school district is consistent with the plan
27 adopted by the Department.

28 (e) Scored by a single private entity that has contracted with the
29 State Board to score the examinations. The private entity that scores
30 the examinations shall report the results of the examinations in the
31 form and by the date required by the Department.

32 3. Not more than 14 working days after the results of the
33 examinations are reported to the Department by a private entity that
34 scored the examinations, the Superintendent of Public Instruction
35 shall certify that the results of the examinations have been
36 transmitted to each school district and each charter school. Not more
37 than 10 working days after a school district receives the results of
38 the examinations, the superintendent of schools of each school
39 district shall certify that the results of the examinations have been
40 transmitted to each school within the school district. Except as
41 otherwise provided in this subsection, not more than 15 working
42 days after each school receives the results of the examinations, the
43 principal of each school and the governing body of each charter
44 school shall certify that the results for each pupil have been
45 provided to the parent or legal guardian of the pupil:



(a) During a conference between the teacher of the pupil or administrator of the school and the parent or legal guardian of the pupil; or

(b) By mailing the results of the examinations to the last known address of the parent or legal guardian of the pupil.

➤ If a pupil fails the high school proficiency examination, the school shall notify the pupil and the parents or legal guardian of the pupil of each subject area that the pupil failed as soon as practicable but not later than 15 working days after the school receives the results of the examination.

4. If a pupil fails to demonstrate at least adequate achievement on the examination administered before the completion of grade 4, 7 or 10, the pupil may be promoted to the next higher grade, but the results of the pupil's examination must be evaluated to determine what remedial study is appropriate. If such a pupil is enrolled at a school that has failed to make adequate yearly progress or in which less than 60 percent of the pupils enrolled in grade 4, 7 or 10 in the school who took the examinations administered pursuant to this section received an average score on those examinations that is at least equal to the 26th percentile of the national reference group of pupils to which the examinations were compared, the pupil must, in accordance with the requirements set forth in this subsection, complete remedial study that is determined to be appropriate for the pupil.

5. Except as otherwise provided in subsection 6, if a pupil fails to pass the high school proficiency examination, the pupil must not be graduated unless he or she:

(a) Is able, through remedial study, to pass the proficiency examination; ~~or~~

(b) *Failed to pass the same subject area of the proficiency examination not less than six times and satisfies the requirements of subsection 4 of NRS 389.805; or*

(c) Passes the subject areas of mathematics and reading tested on the proficiency examination, has at least a 2.75 grade point average on a 4.0 grading scale and satisfies the alternative criteria prescribed by the State Board pursuant to NRS 389.805,

➤ but the pupil may be given a certificate of attendance, in place of a diploma, if the pupil has reached the age of 18 years.

6. A pupil who transfers during grade 12 to a school in this State from a school outside this State because of the military transfer of the parent or legal guardian of the pupil may receive a waiver from the requirements of subsection 5 if, in accordance with the provisions of NRS 392C.010, the school district in which the pupil is enrolled:



(a) Accepts the results of the exit or end-of-course examinations required for graduation in the local education agency in which the pupil was previously enrolled;

(b) Accepts the results of a national norm-referenced achievement examination taken by the pupil; or

(c) Establishes an alternative test for the pupil which demonstrates proficiency in the subject areas tested on the high school proficiency examination, and the pupil successfully passes that test.

7. The State Board shall prescribe standard examinations of achievement and proficiency to be administered pursuant to subsection 1. The high school proficiency examination must include the subjects of reading, mathematics and science and, except for the writing portion prescribed pursuant to NRS 389.550, must be developed, printed and scored by a nationally recognized testing company in accordance with the process established by the testing company. The examinations on reading, mathematics and science prescribed for grades 4, 7 and 10 must be selected from examinations created by private entities and administered to a national reference group, and must allow for a comparison of the achievement and proficiency of pupils in grades 4, 7 and 10 in this State to that of a national reference group of pupils in grades 4, 7 and 10. The questions contained in the examinations and the approved answers used for grading them are confidential, and disclosure is unlawful except:

(a) To the extent necessary for administering and evaluating the examinations.

(b) That a disclosure may be made to a:

(1) State officer who is a member of the Executive or Legislative Branch to the extent that it is necessary for the performance of his or her duties;

(2) Superintendent of schools of a school district to the extent that it is necessary for the performance of his or her duties;

(3) Director of curriculum of a school district to the extent that it is necessary for the performance of his or her duties; and

(4) Director of testing of a school district to the extent that it is necessary for the performance of his or her duties.

(c) That specific questions and answers may be disclosed if the Superintendent of Public Instruction determines that the content of the questions and answers is not being used in a current examination and making the content available to the public poses no threat to the security of the current examination process.

(d) As required pursuant to NRS 239.0115.



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Sec. 4. NRS 389.0173 is hereby amended to read as follows:

389.0173 1. The Department shall develop an informational pamphlet concerning the high school proficiency examination for pupils who are enrolled in junior high, middle school and high school, and their parents and legal guardians. The pamphlet must include a written explanation of the:

(a) Importance of passing the examination, including, without limitation, an explanation that if the pupil fails the examination, or does not satisfy the requirements of paragraph (b) of subsection 1 **or subsection 4** of NRS 389.805, the pupil is not eligible to receive a standard high school diploma;

(b) Subject areas tested on the examination;

(c) Format for the examination, including, without limitation, the range of items that are contained on the examination;

(d) Manner by which the scaled score, as reported to pupils and their parents or legal guardians, is derived from the raw score;

(e) Timeline by which the results of the examination must be reported to pupils and their parents or legal guardians;

(f) Maximum number of times that a pupil is allowed to take the examination if the pupil fails to pass the examination after the first administration;

(g) Courses of study that the Department recommends that pupils take to prepare the pupils to successfully meet the academic challenges of the examination and pass the examination; and

(h) Courses of study which the Department recommends that pupils take in high school to successfully prepare for the college entrance examinations.

2. The Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as it considers necessary to ensure that pupils and their parents or legal guardians fully understand the examination.

3. On or before September 1, the Department shall provide a copy of the pamphlet or revised pamphlet to the board of trustees of each school district and the governing body of each charter school that includes pupils enrolled in a junior high, middle school or high school grade level.

4. The board of trustees of each school district shall provide a copy of the pamphlet to each junior high, middle school or high school within the school district for posting. The governing body of each charter school shall ensure that a copy of the pamphlet is posted at the charter school. Each principal of a junior high, middle school, high school or charter school shall ensure that the teachers, counselors and administrators employed at the school fully understand the contents of the pamphlet.

5. On or before January 15, the:



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(a) Board of trustees of each school district shall provide a copy of the pamphlet to each pupil who is enrolled in a junior high, middle school or high school of the school district and to the parents or legal guardians of such a pupil.

(b) Governing body of each charter school shall provide a copy of the pamphlet to each pupil who is enrolled in the charter school at a junior high, middle school or high school grade level and to the parents or legal guardians of such a pupil.

Sec. 5. NRS 389.805 is hereby amended to read as follows:

389.805 1. Except as otherwise provided in ~~subsection 3,~~ **subsections 3 and 4**, a pupil must receive a standard high school diploma if the pupil:

(a) Passes all subject areas of the high school proficiency examination administered pursuant to NRS 389.015 and otherwise satisfies the requirements for graduation from high school; or

(b) Has failed to pass the high school proficiency examination administered pursuant to NRS 389.015 in its entirety not less than two times before beginning grade 12 and the pupil:

(1) Passes the subject areas of mathematics and reading on the proficiency examination;

(2) Has an overall grade point average of not less than 2.75 on a 4.0 grading scale;

(3) Satisfies the alternative criteria prescribed by the State Board pursuant to subsection ~~4;~~ **5**; and

(4) Otherwise satisfies the requirements for graduation from high school.

2. A pupil with a disability who does not satisfy the requirements for receipt of a standard high school diploma may receive a diploma designated as an adjusted diploma if the pupil satisfies the requirements set forth in his or her individualized education program. As used in this subsection, "individualized education program" has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

3. A pupil who transfers during grade 12 to a school in this State from a school outside this State because of the military transfer of the parent or legal guardian of the pupil may receive a waiver from the requirements of paragraphs (a) and (b) of subsection 1 if, in accordance with the provisions of NRS 392C.010, the school district in which the pupil is enrolled:

(a) Accepts the results of the exit or end-of-course examinations required for graduation in the local education agency in which the pupil was previously enrolled;

(b) Accepts the results of a national norm-referenced achievement examination taken by the pupil; or



(c) Establishes an alternative test for the pupil which demonstrates proficiency in the subject areas tested on the high school proficiency examination, and the pupil successfully passes that test.

4. *A pupil must receive a standard high school diploma if the pupil has failed to pass one subject area of the high school proficiency examination administered pursuant to NRS 389.015 not less than six times and the pupil:*

(a) *Has earned sufficient credits to receive a standard high school diploma;*

(b) *Has an overall grade point average of not less than 2.75 on a 4.0 grading scale;*

(c) *Satisfies the minimum attendance requirements established by the board of trustees of the school district pursuant to NRS 392.122;*

(d) *Does not have any disciplinary action pending against him or her; and*

(e) *Has obtained a cumulative score on the high school proficiency examinations that meets the required cumulative score prescribed by the State Board, which must be calculated using the highest scores received over all instances in which the examination was taken.*

5. The State Board shall adopt regulations that prescribe the alternative criteria for a pupil to receive a standard high school diploma pursuant to paragraph (b) of subsection 1, including, without limitation:

(a) An essay;

(b) A senior project; or

(c) A portfolio of work,

➔ or any combination thereof, that demonstrate proficiency in the subject areas on the high school proficiency examination which the pupil failed to pass.

Sec. 6. NRS 392.122 is hereby amended to read as follows:

392.122 1. The board of trustees of each school district shall prescribe a minimum number of days that a pupil who is subject to compulsory attendance and enrolled in a school in the district must be in attendance for the pupil to obtain credit or to be promoted to the next higher grade. The board of trustees of a school district may adopt a policy prescribing a minimum number of days that a pupil who is enrolled in kindergarten or first grade in the school district must be in attendance for the pupil to obtain credit or to be promoted to the next higher grade.

2. For the purposes of this section, the days on which a pupil is not in attendance because the pupil is absent for up to 10 days within 1 school year with the approval of the teacher or principal of



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1 the school pursuant to NRS 392.130, must be credited towards the
2 required days of attendance if the pupil has completed course-work
3 requirements. The teacher or principal of the school may approve
4 the absence of a pupil for deployment activities of the parent or
5 legal guardian of the pupil, as defined in NRS 392C.010. If the
6 board of trustees of a school district has adopted a policy pursuant to
7 subsection 5, the 10-day limitation on absences does not apply to
8 absences that are excused pursuant to that policy.

9 3. Except as otherwise provided in ~~[subsection 5.]~~ **subsections**
10 **5 and 6**, before a pupil is denied credit or promotion to the next
11 higher grade for failure to comply with the attendance requirements
12 prescribed pursuant to subsection 1, the principal of the school in
13 which the pupil is enrolled or the principal's designee shall provide
14 written notice of the intended denial to the parent or legal guardian
15 of the pupil. The notice must include a statement indicating that the
16 pupil and the pupil's parent or legal guardian may request a review
17 of the absences of the pupil and a statement of the procedure for
18 requesting such a review. Upon the request for a review by the pupil
19 and the pupil's parent or legal guardian, the principal or the
20 principal's designee shall review the reason for each absence of the
21 pupil upon which the intended denial of credit or promotion is
22 based. After the review, the principal or the principal's designee
23 shall credit towards the required days of attendance each day of
24 absence for which:

25 (a) There is evidence or a written affirmation by the parent or
26 legal guardian of the pupil that the pupil was physically or mentally
27 unable to attend school on the day of the absence; and

28 (b) The pupil has completed course-work requirements.

29 4. A pupil and the pupil's parent or legal guardian may appeal
30 a decision of a principal or the principal's designee pursuant to
31 subsection 3 to the board of trustees of the school district in which
32 the pupil is enrolled.

33 5. The board of trustees of a school district may adopt a policy
34 to exempt pupils who are physically or mentally unable to attend
35 school from the limitations on absences set forth in subsection 1. If a
36 board of trustees adopts a policy pursuant to this subsection:

37 (a) A pupil who receives an exemption pursuant to this
38 subsection is not exempt from the minimum number of days of
39 attendance prescribed pursuant to subsection 1.

40 (b) The days on which a pupil is physically or mentally unable
41 to attend school must be credited towards the required days of
42 attendance if the pupil has completed course-work requirements.

43 (c) The procedure for review of absences set forth in subsection
44 3 does not apply to days on which the pupil is absent because the
45 pupil is physically or mentally unable to attend school.



6. *The board of trustees of a school district may adopt a policy that allows a pupil enrolled in high school who has failed to comply with the minimum attendance requirements pursuant to subsection 1 for which he or she will be denied credit the opportunity to make up those credits. The policy must provide that such a pupil may obtain credit if the pupil is not absent from school for any additional days during the current grading period for which credit may be earned and the pupil:*

(a) *Enrolls in a program in addition to the regular high school program that provides additional time and instruction for the pupil to make up the material missed due to the pupil's absences; or*

(b) *Passes a comprehensive examination demonstrating competence in the subject area for which the pupil would otherwise be denied credit.*

↪ *A pupil who does not satisfy the requirements of paragraph (a) or (b) will be denied credit, and the principal of the school shall provide notice of the intended denial pursuant to subsection 3.*

7. A school shall inform the parents or legal guardian of each pupil who is enrolled in the school that the parents or legal guardian and the pupil are required to comply with the provisions governing the attendance and truancy of pupils set forth in NRS 392.040 to 392.160, inclusive, and any other rules concerning attendance and truancy adopted by the board of trustees of the school district.

Sec. 7. NRS 62E.430 is hereby amended to read as follows:

62E.430 1. If a child is adjudicated to be in need of supervision because the child is a habitual truant, the juvenile court shall:

(a) The first time the child is adjudicated to be in need of supervision because the child is a habitual truant:

(1) Order:

(I) The child to pay a fine of not more than \$100 and the administrative assessment required by NRS 62E.270 or if the parent or guardian of the child knowingly induced the child to be a habitual truant, order the parent or guardian to pay the fine and the administrative assessment; or

(II) The child to perform not less than 8 hours but not more than 16 hours of community service; and

(2) If the child is 14 years of age or older, order the suspension of the driver's license of the child for at least 30 days but not more than 6 months. If the child does not possess a driver's license, the juvenile court shall prohibit the child from applying for a driver's license for 30 days:

(I) Immediately following the date of the order if the child is eligible to apply for a driver's license; or



(II) After the date the child becomes eligible to apply for a driver's license if the child is not eligible to apply for a driver's license.

(b) The second or any subsequent time the child is adjudicated to be in need of supervision because the child is a habitual truant:

(1) Order:

(I) The child to pay a fine of not more than \$200 and the administrative assessment required by NRS 62E.270 or if the parent or guardian of the child knowingly induced the child to be a habitual truant, order the parent or guardian to pay the fine and the administrative assessment;

(II) The child to perform not more than 10 hours of community service; or

(III) Compliance with the requirements set forth in both sub-subparagraphs (I) and (II); and

(2) If the child is 14 years of age or older, order the suspension of the driver's license of the child for at least 60 days but not more than 1 year. If the child does not possess a driver's license, the juvenile court shall prohibit the child from applying for a driver's license for 60 days:

(I) Immediately following the date of the order if the child is eligible to apply for a driver's license; or

(II) After the date the child becomes eligible to apply for a driver's license if the child is not eligible to apply for a driver's license.

2. The juvenile court may suspend the payment of a fine ordered pursuant to paragraph (a) of subsection 1 if the child attends school for 60 consecutive school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the imposition of the fine, or has a valid excuse acceptable to the child's teacher or the principal for any absence from school within that period.

3. The juvenile court may suspend the payment of a fine ordered pursuant to this section if the parent or guardian of a child is ordered to pay a fine by another court of competent jurisdiction in a case relating to or arising out of the same circumstances that caused the juvenile court to adjudicate the child in need of supervision.

4. The community service ordered pursuant to this section must be performed at the child's school of attendance, if practicable.

5. If a child is adjudicated in need of supervision because the child is a habitual truant, the juvenile court may, the first time, the second time or any subsequent time the child is adjudicated to be in need of supervision because the child is a habitual truant, order the parent or legal guardian of the child to attend conferences with the child's teacher and appropriate school administrators to



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address the status of the child as a habitual truant and to develop a plan to ensure that the child attends school.

Sec. 8. Chapter 609 of NRS is hereby amended by adding thereto a new section to read as follows:

If a county requires the issuance of work permits and a work permit is issued to a child between the ages of 16 and 18 years, the parent or legal guardian of the child may indicate on the work permit the maximum number of hours that his or her child may work and specify the time periods in which that work may occur during the week and on the weekend.

Sec. 9. NRS 609.240 is hereby amended to read as follows:

609.240 1. No child under the age of 16 years may be employed, permitted or suffered to work at any gainful occupation, other than domestic service, employment as a performer in the production of a motion picture or work on a farm, more than ~~[48]~~:

(a) *Twenty* hours in any 1 week ~~[.]~~ *when school is in session;*

(b) *Forty-eight hours in any 1 week when school is not in session;* or ~~[more than 8]~~

(c) *Eight* hours in any 1 day.

2. The presence of a child in any establishment during working hours is prima facie evidence of employment of the child therein.

Sec. 10. This act becomes effective on July 1, 2011.

