

Amendment No. 639

Assembly Amendment to Senate Bill No. 365 First Reprint (BDR 34-184)

Proposed by: Assembly Committee on Education**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

CLP/KCR



Date: 5/20/2011

S.B. No. 365—Eliminates certain mandates pertaining to school districts and public schools in this State. (BDR 34-184)



SENATE BILL NO. 365--SENATOR MCGINNESS

MARCH 21, 2011

Referred to Committee on Education

SUMMARY—Eliminates certain mandates pertaining to school districts and public schools in this State. (BDR 34-184)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; eliminating certain requirements imposed by statute on school districts and public schools in this State; ~~authorizing the board of trustees of each school district to review certain plans, policies, programs and procedures;~~ requiring the board of trustees of certain school districts to adopt a pilot program to provide a program of small learning communities in certain middle schools, junior high schools and high schools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the board of trustees of each school district is required to adopt a policy to engage certain administrators in the classroom. (NRS 391.235) **Section 21.5** of this bill makes the adoption of such a policy permissive rather than mandatory.

Under existing federal law, a school which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a school improvement plan. (20 U.S.C. § 6316(b)(3)) Also under existing federal law, a school district which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a plan for improvement for the school district. (20 U.S.C. § 6316(c)(7)) Under existing state law, the board of trustees of each school district is required to prepare a plan to improve the achievement of pupils enrolled in the school district. (NRS 385.348) Also under existing law, the principal of each public school is required to prepare a plan to improve the achievement of pupils enrolled in the school. This bill repeals ~~that~~ both of those state statutory ~~requirement~~ requirements relating to plans for improvement.

Under existing law, certain school districts in this State are required to adopt a policy providing for the creation of small learning communities for certain pupils enrolled in middle school or junior high school and high school. (NRS 388.171, 388.215) ~~This bill repeals these statutory requirements.~~

~~Under existing law, the boards of trustees of school districts are required to enforce in the public schools the use of textbooks prescribed by the State Board of Education. (NRS 200.220) This bill repeals that statutory requirement.~~ **Section 21.3 of this bill requires the board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more to adopt a pilot program of small learning communities for implementation in at least 50 percent of those high schools. Section 36.3 of this bill requires the board of trustees of each school district which includes at least**

one middle school or junior high school with an enrollment of 500 pupils or more to adopt a pilot program of small learning communities for pupils in their initial year of enrollment for implementation in at least 50 percent of those schools. Sections 36.5 and 38 of this bill require both pilot programs to be implemented beginning with the 2013-2014 school year.

Under existing law, effective on July 1, 2011, an academic plan must be developed for each pupil enrolled in middle school or junior high school in accordance with a policy adopted by the board of trustees of the school district. **Section 36.5** of this bill extends the date for adoption of such a policy to January 1, 2013, for implementation beginning with the 2013-2014 school year.

~~[Section 37.5 of this bill authorizes the board of trustees of each school district to review certain plans, policies, programs and procedures. If the board of trustees of a school district conducts such a review, the board of trustees is required to prepare a written report on the plans, policies, programs and procedures which the board of trustees determines place an unfunded mandate and an undue financial hardship on the school district and submit the written report, on or before August 1, 2012, to the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.]~~

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. NRS 385.359 is hereby amended to read as follows:

385.359 1. The Bureau shall contract with a person or entity to:

(a) Review and analyze, in accordance with the standards prescribed by the Committee pursuant to subsection 2 of NRS 218E.615, the:

(1) Annual report of accountability prepared by:

(I) The State Board pursuant to NRS 385.3469; and

(II) The board of trustees of each school district pursuant to NRS 385.347.

(2) Plan to improve the achievement of pupils prepared by ~~the~~

~~(I) The~~ the State Board pursuant to NRS 385.3469 ~~and~~

~~(II) [The board of trustees of each school district pursuant to NRS 385.348; and~~

~~(III) [Each school pursuant to NRS 385.357 identified by the Bureau for review, if any, or if such a plan has not been prepared, the] , any~~ turnaround plan for the schools identified by the Bureau, if any, implemented pursuant to NRS 385.37603 or the plan for restructuring the school implemented pursuant to NRS 385.37607, as applicable.

(b) Submit a written report to and consult with the State Board and the Department regarding any methods by which the State Board may improve the accuracy of the report of accountability required pursuant to NRS 385.3469 and the plan to improve the achievement of pupils required pursuant to NRS 385.34691, and the purposes for which the report and plan to improve are used.

(c) Submit a written report to and consult with each school district regarding any methods by which the district may improve the accuracy of the report required pursuant to subsection 2 of NRS 385.347 ~~[and the plan to improve the achievement of pupils required pursuant to NRS 385.348,]~~ and the purposes for which the report ~~[and plan to improve are]~~ is used.

(d) If requested by the Bureau, submit a written report to and consult with individual schools identified by the Bureau regarding any methods by which the

school may improve the accuracy of the information required to be reported for the school pursuant to subsection 2 of NRS 385.347 and the:

(1) ~~Plan to improve the achievement of pupils required pursuant to NRS 385.357;~~

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

~~(2)~~ Plan for restructuring the school implemented pursuant to NRS 385.37607,

whichever is applicable for the school.

(e) Submit written reports and any recommendations to the Committee and the Bureau concerning:

(1) The effectiveness of the provisions of NRS 385.3455 to 385.391, inclusive, in improving the accountability of the schools of this State;

(2) The status of each school district that is designated as demonstrating need for improvement pursuant to NRS 385.377 and each school that is designated as demonstrating need for improvement pursuant to NRS 385.3623; and

(3) Any other matter related to the accountability of the public schools of this State, as deemed necessary by the Bureau.

2. The consultant with whom the Bureau contracts to perform the duties required pursuant to subsection 1 must possess the experience and knowledge necessary to perform those duties, as determined by the Committee.

Sec. 4. (Deleted by amendment.)

Sec. 4.5. NRS 385.36127 is hereby amended to read as follows:

385.36127 1. If a school support team is established pursuant to the regulations adopted by the State Board pursuant to NRS 385.361, the support team shall:

(a) Review and analyze the operation of the school, including, without limitation, the design and operation of the instructional program of the school.

(b) Review and analyze the data pertaining to the school upon which the report required pursuant to subsection 2 of NRS 385.347 is based and review and analyze any data that is more recent than the data upon which the report is based.

~~(c) Review the most recent plan to improve the achievement of the school's pupils.~~

~~(d)~~ Review the information concerning the educational involvement accords provided to the support team pursuant to NRS 392.4575 and the information concerning the reports provided to the support team pursuant to NRS 392.456.

~~(e)~~ (d) Identify and investigate the problems and factors at the school that contributed to the designation of the school as demonstrating need for improvement.

~~(f)~~ (e) Assist the school in developing recommendations for improving the performance of pupils who are enrolled in the school.

~~(g)~~ (f) Except as otherwise provided in this paragraph, make recommendations to the board of trustees of the school district, the State Board and the Department concerning additional assistance for the school in carrying out ~~the plan for improvement of the school,~~ the turnaround plan for the school or the plan for restructuring the school, whichever is applicable for the school. For a charter school sponsored by the State Board, the support team shall make the recommendations to the State Board and the Department. For a charter school sponsored by a college or university within the Nevada System of Higher Education, the support team shall make the recommendations to the sponsor, the State Board and the Department.

~~(h)~~ (g) In accordance with its findings pursuant to this section and NRS 385.36129, submit, ~~on or before November 1, written revisions to the most recent~~

1 ~~plan to improve the achievement of the school's pupils for approval pursuant to~~
2 ~~NRS 385.357, or submit,~~ on or before May 1, written recommendations for
3 revisions to the turnaround plan for the school implemented pursuant to NRS
4 385.37603 or the plan for restructuring the school implemented pursuant to NRS
5 385.37607, whichever is applicable for the school. The written revisions or
6 recommendations, as applicable, must:

7 (1) Comply ~~[with NRS 385.357 if the school has demonstrated need for~~
8 ~~improvement for less than 5 years or]~~ with NRS 385.37603 or 385.37607, as
9 applicable, if the school has demonstrated need for improvement for 5 or more
10 consecutive years;

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

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

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

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

18 (II) Specific;

19 (III) Measurable; and

20 (IV) Conducive to reliable evaluation;

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

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

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

25 ~~[(i) Except as otherwise provided in this paragraph, work cooperatively with~~
26 ~~the board of trustees of the school district in which the school is located, the~~
27 ~~employees of the school, and the parents and guardians of pupils enrolled in the~~
28 ~~school to carry out and monitor the plan for improvement of the school. If a charter~~
29 ~~school is sponsored by the State Board, the Department shall assist the school with~~
30 ~~carrying out and monitoring the plan for improvement of the school. If a charter~~
31 ~~school is sponsored by a college or university within the Nevada System of Higher~~
32 ~~Education, that institution shall assist the school with carrying out and monitoring~~
33 ~~the plan for improvement of the school.~~

34 ~~[(j)]~~ (h) Prepare a quarterly progress report in the format prescribed by the
35 Department and:

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

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

39 ~~[(k)]~~ (i) In addition to the requirements of this section, if the support team is
40 established for a Title I school, carry out the requirements of 20 U.S.C. §
41 6317(a)(5).

42 2. A school support team may require the school for which the support team
43 was established to submit plans, strategies, tasks and measures that, in the
44 determination of the support team, will assist the school in improving the
45 achievement and proficiency of pupils enrolled in the school.

46 3. The Department shall prescribe a concise quarterly progress report for use
47 by each support team in accordance with paragraph ~~[(i)]~~ (h) of subsection 1.

48 **Sec. 5.** (Deleted by amendment.)

49 **Sec. 5.5.** NRS 385.36129 is hereby amended to read as follows:

50 385.36129 1. In addition to the duties prescribed in NRS 385.36127, a
51 support team established for a school shall prepare an annual written report that
52 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}~~ if 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}~~ if 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:

(1) The name of the program;
(2) The date on which the program was purchased and the date on which the program was carried out by the school;

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

(4) The satisfaction of the personnel at the school with the program; and
(5) An evaluation of whether the program has improved the academic achievement of the pupils enrolled in the school who participated in the program;

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

(1) The financial resources of the school;
(2) The administrative and educational personnel of the school;
(3) The curriculum of the school;
(4) The facilities available at the school, including the availability and accessibility of educational technology; and

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

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

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

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

(3) The transiency rate of pupils who are enrolled in the school;
(4) A description of the number of years that each teacher has provided instruction at the school and the rate of turnover of teachers and other educational personnel employed at the school;

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

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

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

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

(a) Principal of the school;

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

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

(d) Department; and

(e) Bureau.

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

Sec. 6. (Deleted by amendment.)

Sec. 6.5. NRS 385.362 is hereby amended to read as follows:

385.362 ~~[[[~~ If a public school fails to make adequate yearly progress for 1 year:

~~[[a]]~~ 1. Except as otherwise provided in ~~[[paragraph (b)]]~~ subsection 2, the board of trustees of the school district in which the school is located shall ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto. For a charter school sponsored by the school district, the board of trustees shall provide the technical assistance to the charter school in conjunction with the governing body of the charter school.

~~[[b]]~~ 2. For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall ensure, in conjunction with the governing body of the charter school, that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

~~[[2. If a public school fails to make adequate yearly progress for 1 year, the principal of the school shall ensure that the plan to improve the achievement of pupils enrolled in the school is reviewed, revised and approved in accordance with NRS 385.357.]]~~

Sec. 7. (Deleted by amendment.)

Sec. 7.5. NRS 385.37603 is hereby amended to read as follows:

385.37603 1. If a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:

(a) The board of trustees of the school district shall:

(1) Except as otherwise provided in subsection 3 of NRS 385.37605, ~~[[repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and,]]~~ not later than September 30, implement the turnaround plan to improve the academic achievement of pupils enrolled in the school developed pursuant to NRS 385.3745;

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The State Board shall prescribe by regulation the actions which the Department may take to monitor the implementation of any corrective action at the school.

2. If a charter school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:

(a) The governing body of the charter school shall:

(1) Except as otherwise provided in subsection 3 of NRS 385.37605, ~~[[repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and,]]~~ not later than September 30, implement the turnaround plan

to improve the academic achievement of pupils enrolled in the school developed pursuant to NRS 385.3745.

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on a form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(d) The State Board shall prescribe by regulation the actions which the Department may take to monitor the implementation of any corrective action at the charter school.

Sec. 8. (Deleted by amendment.)

Sec. 8.5. NRS 385.37607 is hereby amended to read as follows:

385.37607 1. If a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years:

(a) Except as otherwise provided in paragraph (b), the board of trustees of the school district shall:

(1) Except as otherwise provided in subsection 2, ~~repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and~~ not later than September 30, implement the plan for restructuring the school developed pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto;

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382;

(3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;

(4) Provide school choice to the parents and guardians of pupils enrolled in the school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto; and

(5) Provide supplemental educational services in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law.

(b) If the school is a charter school:

(1) Sponsored by the board of trustees of a school district, the board of trustees shall:

(I) Except as otherwise provided in subsection 3, ~~repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and~~ not later than September 30, implement the plan for restructuring the charter school developed pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto;

(II) Provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382;

1 (III) Ensure that the charter school receives technical assistance in the
2 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant
3 thereto; and

4 (IV) Provide school choice to the parents and guardians of pupils
5 enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the
6 regulations adopted pursuant thereto.

7 (2) Sponsored by the State Board or by a college or university within the
8 Nevada System of Higher Education, the Department shall:

9 (I) Except as otherwise provided in subsection 3, ~~repeal the plan to~~
10 ~~improve the academic achievement of pupils developed pursuant to NRS 385.357~~
11 ~~and~~ not later than September 30, implement the plan for restructuring the charter
12 school developed pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)
13 and the regulations adopted pursuant thereto;

14 (II) Provide notice of the designation to the parents and guardians of
15 pupils enrolled in the charter school on the form prescribed by the Department
16 pursuant to NRS 385.382;

17 (III) Ensure that the charter school receives technical assistance in the
18 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant
19 thereto; and

20 (IV) Work cooperatively with the board of trustees of the school
21 district in which the charter school is located to provide school choice to the parents
22 and guardians of pupils enrolled in the school in accordance with 20 U.S.C. §
23 6316(b)(1) and the regulations adopted pursuant thereto.

24 (3) Regardless of the sponsor, the governing body of the charter school
25 shall provide supplemental educational services in accordance with 20 U.S.C. §
26 6316(e) and the regulations adopted pursuant thereto from a provider approved
27 pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of
28 federal law.

29 (c) The State Board shall prescribe by regulation the actions which the
30 Department may take to monitor the implementation of any corrective action at the
31 school or charter school.

32 2. The board of trustees of a school district shall grant a delay from the
33 imposition of a plan for restructuring for a school, including, without limitation, the
34 development and implementation of a plan for restructuring, for a period not to
35 exceed 1 year if the school qualifies for a delay pursuant to 20 U.S.C. §
36 6316(b)(7)(D). If the school fails to make adequate yearly progress during the
37 period of delay, the board of trustees shall proceed with a plan for restructuring the
38 school as if the delay never occurred.

39 3. The sponsor of a charter school shall grant a delay from the imposition of a
40 plan for restructuring for a school, including, without limitation, the development
41 and implementation of a plan for restructuring, for a period not to exceed 1 year if
42 the school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the charter
43 school fails to make adequate yearly progress during the period of delay, the
44 Department shall proceed with a plan for restructuring the charter school as if the
45 delay never occurred.

46 4. Before the board of trustees of a school district or the Department proceeds
47 with a plan for restructuring, the board of trustees or the Department, as applicable,
48 shall provide to the administrators, teachers and other educational personnel
49 employed at that school, and parents and guardians of pupils enrolled in the school:

50 (a) Notice that the board of trustees or the Department, as applicable, will
51 develop a plan for restructuring the school;

52 (b) An opportunity to comment before the plan to restructure is developed; and

53 (c) An opportunity to participate in the development of the plan to restructure.

Sec. 9. NRS 385.3785 is hereby amended to read as follows:

385.3785 1. The Commission shall:

(a) Establish a program of educational excellence designed exclusively for pupils enrolled in kindergarten through grade 6 in public schools in this State based upon:

(1) The plan to improve the achievement of pupils prepared by the State Board pursuant to NRS 385.34691;

(2) The ~~plan to improve the achievement of pupils prepared by the board of trustees of each school district pursuant to NRS 385.348;~~

~~(3) The plan to improve the achievement of pupils prepared by the principal of each school pursuant to NRS 385.357, which may include a program of innovation, the~~ turnaround plan for the school implemented pursuant to NRS 385.37603 or the plan for restructuring the school implemented pursuant to NRS 385.37607, ~~whichever is~~ if applicable for the school; and

~~(4)~~ (3) Any other information that the Commission considers relevant to the development of the program of educational excellence.

(b) Identify programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

(c) Develop a concise application and simple procedures for the submission of applications by public schools and consortiums of public schools, including, without limitation, charter schools, for participation in a program of educational excellence and for grants of money from the Account. Grants of money must be made for programs designed for the achievement of pupils ~~that are linked to the plan to improve the achievement of pupils~~ or for innovative programs, or both, or that are linked to the turnaround plan for the school or the plan for restructuring the school, if applicable, or for innovative programs, or both. The Commission shall not award a grant of money from the Account for a program to provide full-day kindergarten. All public schools and consortiums of public schools, including, without limitation, charter schools, are eligible to submit such an application, regardless of whether the schools have made adequate yearly progress or failed to make adequate yearly progress. A public school or a consortium of public schools selected for participation may be approved by the Commission for participation for a period not to exceed 2 years, but may reapply.

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

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

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

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

(2) Conditions for schools that do not meet the grant criteria but desire to continue participation in the program and receive money from the Account,

including, without limitation, a review of the leadership at the school and recommendations regarding changes to the appropriate body.

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

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

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

(1) The achievement of pupils enrolled at each school that received money from the allocation based upon measurable criteria, including, without limitation, if applicable for the school, measurable criteria identified in ~~[as applicable]~~ the:

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

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

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

(2) If applicable, the effectiveness of the program of innovation on the achievement of pupils and the overall effectiveness for pupils and staff; and

(3) ~~[The implementation of the applicable plans for improvement, including, without limitation, an analysis of whether the school is meeting the measurable objectives identified in the plan; and~~

~~(4) The attainment of measurable progress on the annual list of adequate yearly progress of school districts and schools.~~

2. To the extent money is available, the Commission shall make allocations of money to public schools and consortiums of public schools for effective programs for grades 7 through 12 that are designed to improve the achievement of pupils and effective programs of innovation for pupils. In making such allocations, the Commission shall comply with the requirements of this section.

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

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

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

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

(2) A substantially similar program.

4. The Commission shall ensure, to the extent practicable, that grants of money provided pursuant to this section reflect the economic and geographic diversity of this State.

5. If a public school or consortium of public schools that receives money pursuant to subsection 1 or 2:

(a) Does not meet the criteria for effectiveness as prescribed in paragraph (i) of subsection 1;

(b) Does not, as a result of the program for which the grant of money was awarded, show improvement in the achievement of pupils, as determined in an evaluation conducted pursuant to subsection 3 of NRS 385.379; or

(c) Does not implement the program for which the money was received, as determined in an audit conducted pursuant to subsection 4 of NRS 385.3789 or an evaluation conducted pursuant to subsection 3 of NRS 385.379,

↳ over a 2-year period, the Commission may consider not awarding future allocations of money to that public school or consortium of public schools.

6. On or before July 1 of each year, the Department shall provide a list of priorities of public schools that indicates:

(a) The adequate yearly progress status of schools in the immediately preceding year; and

(b) The public schools that are considered Title I eligible by the Department based upon the poverty level of the pupils enrolled in a school in comparison to the poverty level of the pupils in the school district as a whole,

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

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

(a) Is based directly upon, ~~as applicable,~~ **if applicable for the school,** the:

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

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

~~(3) (2) Plan for restructuring the school implemented pursuant to NRS 385.37607;~~

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

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

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

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

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

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

Sec. 10. (Deleted by amendment.)

Sec. 11. (Deleted by amendment.)

Sec. 11.5. **NRS 386.605 is hereby amended to read as follows:**

386.605 1. On or before July 15 of each year, the governing body of a charter school shall submit the information concerning the charter school that is required pursuant to subsection 2 of NRS 385.347 to the board of trustees of the

1 school district in which the charter school is located for inclusion in the report of
2 the school district pursuant to that section. The information must be submitted by
3 the charter school in a format prescribed by the board of trustees.

4 2. The Legislative Bureau of Educational Accountability and Program
5 Evaluation created pursuant to NRS 218E.625 may authorize a person or entity
6 with whom it contracts pursuant to NRS 385.359 to review and analyze information
7 submitted by charter schools pursuant to this section and pursuant to NRS
8 ~~385.357~~, 385.3745 or 385.3746, ~~whichever is~~ if applicable for the school,
9 consult with the governing bodies of charter schools and submit written reports
10 concerning charter schools pursuant to NRS 385.359.

11 **Sec. 12.** (Deleted by amendment.)

12 **Sec. 13.** (Deleted by amendment.)

13 **Sec. 14.** (Deleted by amendment.)

14 **Sec. 15.** (Deleted by amendment.)

15 **Sec. 16.** (Deleted by amendment.)

16 **Sec. 17.** (Deleted by amendment.)

17 **Sec. 18.** (Deleted by amendment.)

18 **Sec. 19.** (Deleted by amendment.)

19 **Sec. 20.** (Deleted by amendment.)

20 **Sec. 21.** (Deleted by amendment.)

21 **Sec. 21.3.** **NRS 388.215 is hereby amended to read as follows:**

22 388.215 1. The board of trustees of each school district which includes at
23 least one high school with an enrollment of 1,200 pupils or more, including pupils
24 enrolled in ninth grade, shall adopt a ~~policy for each of those high schools~~ pilot
25 program to provide a program of small learning communities. The ~~policy~~ pilot
26 program must be implemented in at least 50 percent of the high schools in the
27 school district with an enrollment of 1,200 pupils or more and must require:

28 (a) Where practicable, the designation of a separate area geographically within
29 the high school where the pupils enrolled in ninth grade attend classes;

30 (b) The collection and maintenance of information relating to pupils enrolled in
31 ninth grade, including, without limitation, credits earned, attendance, truancy and
32 indicators that a pupil may be at risk of dropping out of high school;

33 (c) Based upon the information collected pursuant to paragraph (b), the timely
34 identification of any special needs of a pupil enrolled in ninth grade, including,
35 without limitation, any need for programs of remedial study for a particular subject
36 area and appropriate counseling;

37 (d) Methods to increase the involvement of parents and legal guardians of
38 pupils enrolled in ninth grade in the education of their children; and

39 (e) The assignment of:

40 (1) Guidance counselors;

41 (2) At least one licensed school administrator; and

42 (3) Appropriate adult mentors,

43 specifically for the pupils enrolled in ninth grade.

44 2. The principal of ~~each~~ a high school in which 1,200 pupils or more are
45 enrolled, including pupils enrolled in ninth grade, and which the board of trustees
46 of the school district has designated to participate in the pilot program adopted
47 pursuant to subsection 1 shall:

48 (a) Carry out a program of small learning communities in accordance with the
49 ~~policy prescribed by the board of trustees pursuant to subsection 1;~~ pilot program;
50 and

51 (b) Submit an annual report, on a date prescribed by the board of trustees, that
52 sets forth the specific strategies, programs and methods that are used to focus on the
53 pupils enrolled in ninth grade at the school.

Sec. 21.5. NRS 391.235 is hereby amended to read as follows:

391.235 1. The board of trustees of each school district ~~{shall}~~ *may* adopt a policy that sets forth procedures and conditions for a program to engage administrators employed by the school district at the district level in annual classroom instruction, observation and other activities in a manner that is appropriate for the responsibilities, position and duties of the administrators. ~~{The}~~ *If the board of trustees adopts such a policy, the* policy must require each administrator employed by the school district at the district level to:

(a) If the administrator holds a license to teach, provide instruction in a core academic subject in a classroom for at least 1 regularly scheduled full instructional day in each school year; or

(b) If the administrator does not hold a license to teach:

(1) Personally observe a classroom for at least one-half of a regularly scheduled full instructional day in each school year; or

(2) Otherwise participate in activities with pupils in the classroom in each school year, including, without limitation, serving as a guest speaker in the classroom, reading to pupils in elementary school and participating in career day.

2. ~~{A}~~ *If the board of trustees of a school district adopts a policy pursuant to subsection 1, a* district-level administrator may choose a school within the school district at which the administrator will carry out the ~~{requirements}~~ *provisions* of this section.

3. ~~{A}~~ *If the board of trustees of a school district adopts a policy pursuant to subsection 1, an* administrator who provides instruction pursuant to paragraph (a) of subsection 1 must be assigned as a substitute teacher for the full instructional day in which the administrator carries out the ~~{requirements}~~ *provisions* of this section.

4. The provisions of this section do not apply to administrators who are employed by a school district to provide administrative service at the school level, including, without limitation, a principal or vice principal.

5. As used in this section, "core academic subject" means the core academic subjects designated pursuant to NRS 389.018.

Sec. 22. NRS 391.298 is hereby amended to read as follows:

391.298 If the board of trustees of a school district or the superintendent of schools of a school district schedules a day or days for the professional development of teachers or administrators employed by the school district:

1. The primary focus of that scheduled professional development must be to improve the achievement of the pupils enrolled in the school district. ~~{, as set forth in the:~~

~~{(a)} [Plan to improve the achievement of pupils enrolled in the school district prepared pursuant to NRS 385.348;~~

~~{(b)} [Plan to improve the achievement of pupils prepared pursuant to NRS 385.357];~~

~~{(c)} [(b) Turnaround plan for the school implemented pursuant to NRS 385.37603; or~~

~~{(d)} [(c) Plan for restructuring the school implemented pursuant to NRS 385.37607;~~

~~{as applicable.}~~

2. The scheduled professional development must be structured so that teachers attend professional development that is designed for the specific subject areas or grades taught by those teachers.

Sec. 23. NRS 391.540 is hereby amended to read as follows:

391.540 1. The governing body of each regional training program shall:

(a) Adopt a training model, taking into consideration other model programs, including, without limitation, the program used by the Geographic Alliance in Nevada.

(b) Assess the training needs of teachers and administrators who are employed by the school districts within the primary jurisdiction of the regional training program and adopt priorities of training for the program based upon the assessment of needs. The board of trustees of each such school district may submit recommendations to the appropriate governing body for the types of training that should be offered by the regional training program.

(c) In making the assessment required by paragraph (b) ~~{-review the plans to improve the achievement of pupils prepared pursuant to NRS 385.348 by the school districts within the primary jurisdiction of the regional training program}~~ and ~~{-}~~ as deemed necessary by the governing body, review the:

(1) ~~{Plans to improve the achievement of pupils prepared pursuant to NRS 385.357;~~

~~{(2)} Turnaround plans for schools implemented pursuant to NRS 385.37603; and~~

~~{(3)}~~ (2) Plans for restructuring schools implemented pursuant to NRS 385.37607,

↳ for individual schools within the primary jurisdiction of the regional training program ~~{-}~~ which are required to implement a turnaround plan or plan for restructuring.

(d) Prepare a 5-year plan for the regional training program, which includes, without limitation:

(1) An assessment of the training needs of teachers and administrators who are employed by the school districts within the primary jurisdiction of the regional training program; and

(2) Specific details of the training that will be offered by the regional training program for the first 2 years covered by the plan.

(e) Review the 5-year plan on an annual basis and make revisions to the plan as are necessary to serve the training needs of teachers and administrators employed by the school districts within the primary jurisdiction of the regional training program.

2. The Department, the Nevada System of Higher Education and the board of trustees of a school district may request the governing body of the regional training program that serves the school district to provide training, participate in a program or otherwise perform a service that is in addition to the duties of the regional training program that are set forth in the plan adopted pursuant to this section or otherwise required by statute. An entity may not represent that a regional training program will perform certain duties or otherwise obligate the regional training program as part of an application by that entity for a grant unless the entity has first obtained the written confirmation of the governing body of the regional training program to perform those duties or obligations. The governing body of a regional training program may, but is not required to, grant a request pursuant to this subsection.

Sec. 24. (Deleted by amendment.)

Sec. 25. (Deleted by amendment.)

Sec. 26. (Deleted by amendment.)

Sec. 27. (Deleted by amendment.)

Sec. 28. (Deleted by amendment.)

Sec. 29. (Deleted by amendment.)

Sec. 30. (Deleted by amendment.)

Sec. 31. (Deleted by amendment.)

1 Sec. 32. (Deleted by amendment.)

2 Sec. 33. (Deleted by amendment.)

3 Sec. 34. (Deleted by amendment.)

4 Sec. 35. (Deleted by amendment.)

5 Sec. 36. (Deleted by amendment.)

6 Sec. 36.3. Section 3 of chapter 311, Statutes of Nevada 2009, at page
7 1332, is hereby amended to read as follows:

8 Sec. 3. 1. The board of trustees of each school district which
9 includes at least one middle school or junior high school with an enrollment
10 of 500 pupils or more shall adopt a ~~[policy for each of those middle schools~~
11 ~~and junior high schools]~~ pilot program to provide a program of small
12 learning communities for pupils enrolled in the grade level at which those
13 middle schools or junior high schools initially enroll pupils. The ~~[policy]~~
14 pilot program must be implemented in at least 50 percent of the middle
15 schools and junior high schools in the school district with an enrollment
16 of 500 pupils or more and must require:

17 (a) Where practicable, the designation of a separate area
18 geographically within the middle school or junior high school where the
19 pupils enrolled in their initial year at the middle school or junior high
20 school attend classes;

21 (b) The collection and maintenance of information relating to pupils
22 enrolled in their initial year at the middle school or junior high school,
23 including, without limitation, credits earned, attendance, truancy and
24 indicators that a pupil may be at risk of dropping out of middle school or
25 junior high school;

26 (c) Based upon the information collected pursuant to paragraph (b), the
27 timely identification of any special needs of a pupil enrolled in his initial
28 year at the middle school or junior high school, including, without
29 limitation, any need for programs of remedial study for a particular subject
30 area and appropriate counseling;

31 (d) Methods to increase the involvement of parents and legal guardians
32 of pupils enrolled in their initial year in a middle school or junior high
33 school in the education of their children; and

34 (e) The assignment of:

35 (1) Guidance counselors;

36 (2) At least one licensed school administrator or his designee; and

37 (3) Appropriate adult mentors,

38 ↪ specifically for the pupils enrolled in their initial year at the middle
39 school or junior high school.

40 2. The principal of ~~each~~ a middle school or junior high school in
41 which 500 pupils or more are enrolled and which the board of trustees of
42 the school district has designated to participate in the pilot program
43 adopted pursuant to subsection 1 shall:

44 (a) Carry out a program of small learning communities in accordance
45 with the ~~[policy prescribed by the board of trustees pursuant to subsection~~
46 ~~1]~~ pilot program; and

47 (b) Submit an annual report, on a date prescribed by the board of
48 trustees, that sets forth the specific strategies, programs and methods which
49 are used to focus on the pupils enrolled in their initial year at the middle
50 school or junior high school, including, without limitation, the program of
51 mentoring provided pursuant to section 5 of this act.

1 **Sec. 36.5.** Section 7 of chapter 311, Statutes of Nevada 2009, at page 1334, is
2 hereby amended to read as follows:

3 Sec. 7. 1. *The board of trustees of each school district shall adopt*
4 *the policy required by section 2 of this act not later than January 1, 2013,*
5 *for implementation beginning with the 2013-2014 School Year. On or*
6 *before June 1, 2012, the board of trustees of each school district shall*
7 *provide a report to the Superintendent of Public Instruction on the status*
8 *of the adoption of the policy required by section 2 of this act, including,*
9 *without limitation, a plan for the implementation of that policy beginning*
10 *with the 2013-2014 School Year. On or before July 1, 2012, the*
11 *Superintendent of Public Instruction shall compile the reports and*
12 *provide a report of the compilation to the Legislative Committee on*
13 *Education.*

14 2. *The board of trustees of each school district which includes at*
15 *least one middle school or junior high school with an enrollment of 500*
16 *pupils or more shall adopt the pilot program required by section 3 of this*
17 *act not later than January 1, 2013, for implementation beginning with the*
18 *2013-2014 School Year. On or before June 1, 2012, the board of trustees*
19 *of each such school district shall provide a report to the Superintendent*
20 *of Public Instruction on the status of the adoption of the pilot program*
21 *required by section 3 of this act, including, without limitation, a plan for*
22 *the implementation of the pilot program beginning with the 2013-2014*
23 *School Year. On or before July 1, 2012, the Superintendent of Public*
24 *Instruction shall compile the reports and provide a report of the*
25 *compilation to the Legislative Committee on Education.*

26 3. The board of trustees of each school district shall adopt the policies
27 required by sections ~~2-3~~ 5 and 6 of this act not later than January 1,
28 2011, for implementation beginning with the 2011-2012 School Year.

29 ~~2-3~~ 4. On or before June 1, 2010, the board of trustees of each
30 school district shall provide a report to the Superintendent of Public
31 Instruction on the status of the adoption of the policies required by sections
32 ~~2-3~~ 5 and 6 of this act, including, without limitation, a plan for
33 implementation of those policies beginning with the 2011-2012 School
34 Year. On or before July 1, 2010, the Superintendent of Public Instruction
35 shall compile the reports and provide a report of the compilation to the
36 Legislative Committee on Education.

37 **Sec. 36.7.** Section 8 of chapter 311, Statutes of Nevada 2009, at page 1334, is
38 hereby amended to read as follows:

39 Sec. 8. 1. This section and section 7 of this act become effective on
40 July 1, 2009.

41 2. Sections ~~2-3~~ ~~to~~ 4, 5 and 6 ~~inclusive~~ of this act become
42 effective on July 1, 2009, for the purpose of adopting the policies required
43 by sections ~~2-3~~ 5 and 6 of this act and on July 1, 2011, for all other
44 purposes.

45 3. *Section 2 of this act becomes effective on July 1, 2009, for the*
46 *purpose of adopting the policy required by that section and on July 1,*
47 *2013, for all other purposes.*

48 4. *Section 3 of this act becomes effective on July 1, 2011, for the*
49 *purposes of adopting the pilot program required by that section and on*
50 *July 1, 2013, for all other purposes.*

51 **Sec. 37.** NRS 385.348 ~~, 388.171, 388.215~~ and 385.357 ~~and 390.220~~ are
52 hereby repealed.

Sec. 37.5. ~~[1. The board of trustees of each school district may review the plans, policies, programs and procedures that the board of trustees is required to implement pursuant to title 24 of NRS or pursuant to federal law to determine which plans, policies, programs and procedures place an unfunded mandate and an undue financial hardship upon the school district. If the board of trustees of a school district conducts such a review, the review must include, without limitation, the:~~

- ~~—(a) Plans to improve the academic achievement of pupils;~~
- ~~—(b) Academic plans for certain pupils enrolled in middle school or junior high school and high school;~~
- ~~—(c) Policies for peer mentoring;~~
- ~~—(d) Policies for the provision of a safe and respectful learning environment;~~
- ~~—(e) Policies for pupil-led conferences;~~
- ~~—(f) Plans for the implementation of statutes;~~
- ~~—(g) Procedures for reporting the use of physical restraint and mechanical restraint;~~
- ~~—(h) Procedures for the creation of advisory boards to review school attendance; and~~

~~—(i) Plans for responding to a crisis;~~

~~2. If the board of trustees of a school district reviews the plans, policies, programs and procedures pursuant to subsection 1, the board of trustees shall prepare a written report of its review. The report must include, without limitation:~~

- ~~—(a) The name of each plan, policy, program or procedure which the board of trustees determines places an unfunded mandate and an undue financial hardship upon the school district;~~
- ~~—(b) A description of the plan, policy, program or procedure;~~
- ~~—(c) The costs incurred by the school district for implementing the plan, policy, program or procedure and an identification of how much money the school district receives from the State or Federal Government for such implementation; and~~
- ~~—(d) The effectiveness of the plan, policy, program or procedure in improving the academic achievement of pupils enrolled in the school district, if applicable, including, without limitation, the assessment of the school district as to whether the plan, policy, program or procedure should continue;~~

~~3. If the board of trustees of a school district prepares a written report pursuant to subsection 2, the board of trustees shall, on or before August 1, 2012, submit the written report to the:~~

- ~~—(a) Legislative Committee on Education; and~~
- ~~—(b) Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.]~~ **(Deleted by amendment.)**

Sec. 38. [This]

1. This section and section 36.7 of this act become effective upon passage and approval.

2. Sections 1 to 21, inclusive, 21.5 to 36.5, inclusive, and 37 of this act [becomes] become effective on July 1, 2011.

3. Section 21.3 of this act becomes effective on July 1, 2011, for the purpose of adopting the pilot program required by that section and on July 1, 2013, for all other purposes.

TEXT OF REPEALED SECTIONS

385.348 Plan by school district to improve achievement of pupils: Preparation; contents; submission; annual review.

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

2. Except as otherwise provided in this subsection, the plan must include the items set forth in 20 U.S.C. § 6316(c)(7) and the regulations adopted pursuant thereto. If a school district has not been designated as demonstrating need for improvement pursuant to NRS 385.377, the board of trustees of the school district is not required to include those items set forth in 20 U.S.C. § 6316(c)(7) and the regulations adopted pursuant thereto that directly relate to the status of a school district as needing improvement.

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

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

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

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

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

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

(I) The curriculum appropriate to improve achievement;

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

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

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

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

(4) Manage effectively the discipline of pupils; and

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

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

(f) In consultation with the Department, an identification, by category, of the employees of the Department, if any, who are responsible for overseeing and monitoring whether the plan is carried out effectively.

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

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

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

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

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

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

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

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

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

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

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

(a) Review the plan prepared pursuant to this section annually to evaluate the effectiveness of the plan; and

(b) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that the plan is designed to improve the academic achievement of pupils enrolled in the school district.

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

(a) Superintendent of Public Instruction;

(b) Governor;

(c) State Board;

- (d) Department;
- (e) Committee; and
- (f) Bureau.

~~{ NRS 388.171 Program of small learning communities required in certain schools;~~

~~388.171 1. The board of trustees of each school district which includes at least one middle school or junior high school with an enrollment of 500 pupils or more shall adopt a policy for each of those middle schools and junior high schools to provide a program of small learning communities for pupils enrolled in the grade level at which those middle schools or junior high schools initially enroll pupils. The policy must require:~~

~~(a) Where practicable, the designation of a separate area geographically within the middle school or junior high school where the pupils enrolled in their initial year at the middle school or junior high school attend classes;~~

~~(b) The collection and maintenance of information relating to pupils enrolled in their initial year at the middle school or junior high school, including, without limitation, credits earned, attendance, truancy and indicators that a pupil may be at risk of dropping out of middle school or junior high school;~~

~~(c) Based upon the information collected pursuant to paragraph (b), the timely identification of any special needs of a pupil enrolled in his or her initial year at the middle school or junior high school, including, without limitation, any need for programs of remedial study for a particular subject area and appropriate counseling;~~

~~(d) Methods to increase the involvement of parents and legal guardians of pupils enrolled in their initial year in a middle school or junior high school in the education of their children; and~~

~~(e) The assignment of:~~

~~(1) Guidance counselors;~~

~~(2) At least one licensed school administrator or a designee of such an administrator; and~~

~~(3) Appropriate adult mentors;~~

~~specifically for the pupils enrolled in their initial year at the middle school or junior high school.~~

~~2. The principal of each middle school or junior high school in which 500 pupils or more are enrolled shall:~~

~~(a) Carry out a program of small learning communities in accordance with the policy prescribed by the board of trustees pursuant to subsection 1; and~~

~~(b) Submit an annual report, on a date prescribed by the board of trustees, that sets forth the specific strategies, programs and methods which are used to focus on the pupils enrolled in their initial year at the middle school or junior high school, including, without limitation, the program of mentoring provided pursuant to NRS 388.176.~~

~~NRS 388.215 Program of small learning communities required for ninth grade pupils enrolled in larger schools;~~

~~388.215 1. The board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more, including pupils enrolled in ninth grade, shall adopt a policy for each of those high schools to provide a program of small learning communities. The policy must require:~~

~~(a) Where practicable, the designation of a separate area geographically within the high school where the pupils enrolled in ninth grade attend classes;~~

~~(b) The collection and maintenance of information relating to pupils enrolled in ninth grade, including, without limitation, credits earned, attendance, truancy and indicators that a pupil may be at risk of dropping out of high school;~~

~~— (c) Based upon the information collected pursuant to paragraph (b), the timely identification of any special needs of a pupil enrolled in ninth grade, including, without limitation, any need for programs of remedial study for a particular subject area and appropriate counseling;~~

~~— (d) Methods to increase the involvement of parents and legal guardians of pupils enrolled in ninth grade in the education of their children; and~~

~~— (e) The assignment of:~~

~~— (1) Guidance counselors;~~

~~— (2) At least one licensed school administrator; and~~

~~— (3) Appropriate adult mentors;~~

~~— specifically for the pupils enrolled in ninth grade;~~

~~2. The principal of each high school in which 1,200 pupils or more are enrolled, including pupils enrolled in ninth grade, shall:~~

~~— (a) Carry out a program of small learning communities in accordance with the policy prescribed by the board of trustees pursuant to subsection 1; and~~

~~— (b) Submit an annual report, on a date prescribed by the board of trustees, that sets forth the specific strategies, programs and methods that are used to focus on the pupils enrolled in ninth grade at the school.]~~

385.357 Plan to improve achievement of pupils for individual schools; duties of school support team in preparing plan; annual review; process for submission and approval of plan; timeline for carrying out plan.

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

2. The Legislative Bureau of Educational Accountability and Program Evaluation created pursuant to NRS 218E.625 may authorize a person or entity with whom it contracts pursuant to NRS 385.359 to review and analyze information submitted by charter schools pursuant to this section and pursuant to NRS 385.357, 385.3745 or 385.3746, whichever is applicable for the school, consult with the governing bodies of charter schools and submit written reports concerning charter schools pursuant to NRS 385.359.

385.357 Plan to improve achievement of pupils for individual schools; duties of school support team in preparing plan; annual review; process for submission and approval of plan; timeline for carrying out plan. [Effective through June 30, 2010.]

1. The principal of each school, including, without limitation, each charter school, shall, in consultation with the employees of the school, prepare a plan to improve the achievement of the pupils enrolled in the school.

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

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

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

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

(d) Policies and practices concerning the core academic subjects which have the greatest likelihood of ensuring that each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school will make adequate yearly progress and meet the minimum level of proficiency prescribed by the State Board.

(e) Annual measurable objectives, consistent with the annual measurable objectives established by the State Board pursuant to NRS 385.361, for the continuous and substantial progress by each group of pupils identified in paragraph (b) of subsection 1 of that section who are enrolled in the school to ensure that each group will make adequate yearly progress and meet the level of proficiency prescribed by the State Board.

(f) Strategies, consistent with the policy adopted pursuant to NRS 392.457 by the board of trustees of the school district in which the school is located, to promote effective involvement by parents and families of pupils enrolled in the school in the education of their children.

(g) As appropriate, programs of remedial education or tutoring to be offered before and after school, during the summer, or between sessions if the school operates on a year-round calendar for pupils enrolled in the school who need additional instructional time to pass or to reach a level considered proficient.

(h) Strategies to improve the academic achievement of pupils enrolled in the school, including, without limitation, strategies to:

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

(I) The curriculum appropriate to improve achievement;

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

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

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

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

(4) Manage effectively the discipline of pupils; and

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

(i) An identification, by category, of the employees of the school who are responsible for ensuring that the plan is carried out effectively.

(j) In consultation with the school district or governing body, as applicable, an identification, by category, of the employees of the school district or governing body, if any, who are responsible for ensuring that the plan is carried out effectively or for overseeing and monitoring whether the plan is carried out effectively.

(k) In consultation with the Department, an identification, by category, of the employees of the Department, if any, who are responsible for overseeing and monitoring whether the plan is carried out effectively.

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

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

(n) The resources available to the school to carry out the plan. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school shall use the financial analysis program used by the school district in which the school is located in complying with this paragraph.

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

(p) A budget of the overall cost for carrying out the plan.

3. In addition to the requirements of subsection 2, if a school has been designated as demonstrating need for improvement pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto.

4. Except as otherwise provided in subsection 5, the principal of each school shall, in consultation with the employees of the school:

(a) Review the plan prepared pursuant to this section annually to evaluate the effectiveness of the plan; and

(b) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that the plan is designed to improve the academic achievement of pupils enrolled in the school.

5. If a school has been designated as demonstrating need for improvement pursuant to NRS 385.3623 and a support team has been established for the school, the support team shall review the plan and make revisions to the most recent plan for improvement of the school pursuant to NRS 385.36127. If the school is a Title I school that has been designated as demonstrating need for improvement, the support team established for the school shall, in making revisions to the plan, work in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity responsible for creating the support team, outside experts.

6. On or before November 1 of each year, the principal of each school or the support team established for the school, as applicable, shall submit the plan or the revised plan, as applicable, to:

(a) If the school is a public school of the school district, the superintendent of schools of the school district.

(b) If the school is a charter school, the governing body of the charter school.

7. If a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623, the superintendent of schools of the school district or the governing body, as applicable, shall carry out a process for peer review of the plan or the revised plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days after receipt of the plan, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan, as applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto and the

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

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

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

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

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

~~{ NRS 390.220 Enforcement by board of trustees of use of prescribed textbooks; exception for charter schools.~~

~~390.220 Boards of trustees of school districts in this State shall enforce in the public schools, excluding charter schools, the use of textbooks prescribed and adopted by the State Board.}~~