

ASSEMBLY BILL NO. 272—ASSEMBLYMEN DIAZ, HORNE, KIRKPATRICK; ELLIOTT ANDERSON, BENITEZ-THOMPSON, BUSTAMANTE ADAMS, CARRILLO, DONDERO LOOP, FLORES, FRIERSON, MUNFORD, NEAL, PIERCE AND SWANK

MARCH 15, 2013

Referred to Committee on Education

SUMMARY—Revises provisions governing education. (BDR 34-791)

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

CONTAINS UNFUNDED MANDATE (§ 5)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; creating the English Mastery Council; prescribing the membership and duties of the Council; requiring the board of trustees of each school district to develop a policy for the instruction to teach English to pupils who are limited English proficient; prescribing certain requirements for those policies; requiring the Commission on Professional Standards in Education to adopt regulations prescribing an endorsement to teach English as a second language; authorizing the Board of Regents of the University of Nevada to consider the recommendations of the Council for a course of study to obtain such an endorsement; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, the State Board of Education, the boards of trustees of
- 2 school districts and the sponsors of charter schools are required to prepare annual
- 3 reports of accountability that include various information on public schools and the
- 4 pupils enrolled in public schools. (NRS 385.3469, 385.347) **Sections 1 and 1.3** of
- 5 this bill require those reports to include information on the progression of the
- 6 achievement and proficiency of pupils who are limited English proficient.



Section 3 of this bill creates and sets forth the membership of the English Mastery Council. **Section 4** of this bill sets forth the duties of the Council which include: (1) making recommendations to the State Board for the adoption of regulations concerning the criteria for the development of policies required of school districts for the instruction to teach English to pupils who are limited English proficient; (2) reviewing the policies annually and making recommendations to the school districts for improvement; (3) making recommendations to the Superintendent of Public Instruction and the Commission on Professional Standards in Education for the adoption of regulations for an endorsement to teach English as a second language; (4) developing standards for curriculum for pupils who are limited English proficient for review by the State Board; and (5) reviewing any courses of study offered by the Nevada System of Higher Education to teach English as a second language and making recommendations to the Board of Regents of the University of Nevada for improvement. **Section 16** of this bill sunsets the Council on June 30, 2019.

Existing law requires the State Board of Education to establish a program to teach the English language to pupils who are limited English proficient. (NRS 388.405) **Section 7** of this bill eliminates that requirement and instead requires the State Board to prescribe criteria for a policy for the instruction to teach English to pupils who are limited English proficient for development by the board of trustees of each school district. **Section 5** of this bill requires the board of trustees of each school district to develop such policies and sets forth certain requirements for the policies.

Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for the licensure and endorsement of teachers and other licensed educational personnel. (NRS 391.019) **Sections 12.5 and 14.7** of this bill require the Commission, on or before January 1, 2015, and based upon the recommendations of the English Mastery Council, to prescribe by regulation the requirements for obtaining an endorsement to teach English as a second language.

Section 13 of this bill provides that if the Nevada System of Higher Education offers a course of study for obtaining an endorsement to teach English as a second language, the Board of Regents of the University of Nevada may consider the recommendations submitted by the English Mastery Council in establishing the curriculum and standards for the course of study.

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



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

5 (k) The total number of persons employed by each school
6 district in this State, including without limitation, each charter
7 school in the district. Each such person must be reported as either an
8 administrator, a teacher or other staff and must not be reported in
9 more than one category. In addition to the total number of persons
10 employed by each school district in each category, the report must
11 include the number of employees in each of the three categories
12 expressed as a percentage of the total number of persons employed
13 by the school district. As used in this paragraph:

14 (1) "Administrator" means a person who spends at least 50
15 percent of his or her work year supervising other staff or licensed
16 personnel, or both, and who is not classified by the board of trustees
17 of a school district as a professional-technical employee.

18 (2) "Other staff" means all persons who are not reported as
19 administrators or teachers, including, without limitation:

20 (I) School counselors, school nurses and other employees
21 who spend at least 50 percent of their work year providing
22 emotional support, noninstructional guidance or medical support to
23 pupils;

24 (II) Noninstructional support staff, including, without
25 limitation, janitors, school police officers and maintenance staff; and

26 (III) Persons classified by the board of trustees of a school
27 district as professional-technical employees, including, without
28 limitation, technical employees and employees on the professional-
29 technical pay scale.

30 (3) "Teacher" means a person licensed pursuant to chapter
31 391 of NRS who is classified by the board of trustees of a school
32 district:

33 (I) As a teacher and who spends at least 50 percent of his
34 or her work year providing instruction or discipline to pupils; or

35 (II) As instructional support staff, who does not hold a
36 supervisory position and who spends not more than 50 percent of
37 his or her work year providing instruction to pupils. Such
38 instructional support staff includes, without limitation, librarians
39 and persons who provide instructional support.

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

45 (1) The percentage of teachers who are:



- 1 (I) Providing instruction pursuant to NRS 391.125;
2 (II) Providing instruction pursuant to a waiver of the
3 requirements for licensure for the grade level or subject area in
4 which the teachers are employed; or
5 (III) Otherwise providing instruction without an
6 endorsement for the subject area in which the teachers are
7 employed;
8 (2) The percentage of classes in the core academic subjects,
9 as set forth in NRS 389.018, in this State that are not taught by
10 highly qualified teachers;
11 (3) The percentage of classes in the core academic subjects,
12 as set forth in NRS 389.018, in this State that are not taught by
13 highly qualified teachers, in the aggregate and disaggregated by
14 high-poverty compared to low-poverty schools, which for the
15 purposes of this subparagraph means schools in the top quartile of
16 poverty and the bottom quartile of poverty in this State;
17 (4) For each middle school, junior high school and high
18 school:
19 (I) The number of persons employed as substitute
20 teachers for 20 consecutive days or more in the same classroom or
21 assignment, designated as long-term substitute teachers, including
22 the total number of days long-term substitute teachers were
23 employed at each school, identified by grade level and subject area;
24 and
25 (II) The number of persons employed as substitute
26 teachers for less than 20 consecutive days, designated as short-term
27 substitute teachers, including the total number of days short-term
28 substitute teachers were employed at each school, identified by
29 grade level and subject area; and
30 (5) For each elementary school:
31 (I) The number of persons employed as substitute
32 teachers for 20 consecutive days or more in the same classroom or
33 assignment, designated as long-term substitute teachers, including
34 the total number of days long-term substitute teachers were
35 employed at each school, identified by grade level; and
36 (II) The number of persons employed as substitute
37 teachers for less than 20 consecutive days, designated as short-term
38 substitute teachers, including the total number of days short-term
39 substitute teachers were employed at each school, identified by
40 grade level.
41 (m) The total expenditure per pupil for each school district in
42 this State, including, without limitation, each charter school in the
43 district. If this State has a financial analysis program that is designed
44 to track educational expenditures and revenues to individual
45 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 (n) 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 (o) 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 (p) 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 (q) 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 (r) 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 (s) 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 (t) 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 (u) 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.



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

(w) 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.

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

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

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

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

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

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

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

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

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

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

(2) An adult diploma.

(3) An adjusted diploma.

(4) A certificate of attendance.

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

32 (hh) 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;



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(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.

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

(jj) For each school district and for this State as a whole, information regarding the progression of pupils who are limited English proficient in attaining proficiency in the English language, including, without limitation:

(1) The number of pupils who were identified as limited English proficient at the beginning of the school year, were continually enrolled throughout the school year and were identified as proficient in English by the completion of the school year;

(2) The achievement and proficiency of pupils who are limited English proficient in comparison to the pupils who are proficient in English;

(3) A comparison of pupils who are limited English proficient and pupils who are proficient in the English language in the following areas:

(I) Retention rates;

(II) Graduation rates;

(III) Dropout rates;

(IV) Grade point averages; and

(V) Scores on the examinations administered pursuant to NRS 389.015 and 389.550; and

(4) Results of the assessments and reassessments of pupils who are limited English proficient, reported separately by the primary language of the pupils, pursuant to the policies developed by the boards of trustees of school districts pursuant to section 5 of this act.

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.



- 1 3. The annual report of accountability must:
- 2 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
- 3 adopted pursuant thereto;
- 4 (b) Be prepared in a concise manner; and
- 5 (c) Be presented in an understandable and uniform format and,
- 6 to the extent practicable, provided in a language that parents can
- 7 understand.
- 8 4. On or before October 15 of each year, the State Board shall:
- 9 (a) Provide for public dissemination of the annual report of
- 10 accountability by posting a copy of the report on the Internet
- 11 website maintained by the Department; and
- 12 (b) Provide written notice that the report is available on the
- 13 Internet website maintained by the Department. The written notice
- 14 must be provided to the:
- 15 (1) Governor;
- 16 (2) Committee;
- 17 (3) Bureau;
- 18 (4) Board of Regents of the University of Nevada;
- 19 (5) Board of trustees of each school district; and
- 20 (6) Governing body of each charter school.
- 21 5. Upon the request of the Governor, an entity described in
- 22 paragraph (b) of subsection 4 or a member of the general public, the
- 23 State Board shall provide a portion or portions of the annual report
- 24 of accountability.
- 25 6. As used in this section:
- 26 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
- 27 (b) "Cyber-bullying" has the meaning ascribed to it in
- 28 NRS 388.123.
- 29 (c) "Harassment" has the meaning ascribed to it in
- 30 NRS 388.125.
- 31 (d) "Highly qualified" has the meaning ascribed to it in 20
- 32 U.S.C. § 7801(23).
- 33 (e) "Intimidation" has the meaning ascribed to it in
- 34 NRS 388.129.
- 35 (f) "Paraprofessional" has the meaning ascribed to it in
- 36 NRS 391.008.
- 37 **Sec. 1.3.** NRS 385.347 is hereby amended to read as follows:
- 38 385.347 1. The board of trustees of each school district in
- 39 this State, in cooperation with associations recognized by the State
- 40 Board as representing licensed educational personnel in the district,
- 41 shall adopt a program providing for the accountability of the school
- 42 district to the residents of the district and to the State Board for the
- 43 quality of the schools and the educational achievement of the pupils
- 44 in the district, including, without limitation, pupils enrolled in
- 45 charter schools sponsored by the school district. The board of



1 trustees of each school district shall report the information required
2 by subsection 2 for each charter school sponsored by the school
3 district. The information for charter schools must be reported
4 separately.

5 2. The board of trustees of each school district shall, on or
6 before September 30 of each year, prepare an annual report of
7 accountability concerning:

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

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

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

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

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

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

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

31 (III) Pupils with disabilities;

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

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

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

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

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

43 (7) The most recent 3-year trend in pupil achievement in
44 each subject area tested and each grade level tested pursuant to NRS
45 389.015 and 389.550, which may include information regarding the



1 trend in the achievement of pupils for more than 3 years, if such
2 information is available.

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

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

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

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

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

34 (d) The total number of persons employed for each elementary
35 school, middle school or junior high school, and high school in the
36 district, including, without limitation, each charter school sponsored
37 by the district. Each such person must be reported as either an
38 administrator, a teacher or other staff and must not be reported in
39 more than one category. In addition to the total number of persons
40 employed by each school in each category, the report must include
41 the number of employees in each of the three categories for each
42 school expressed as a percentage of the total number of persons
43 employed by the school. As used in this paragraph:

44 (1) "Administrator" means a person who spends at least 50
45 percent of his or her work year supervising other staff or licensed



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1 personnel, or both, and who is not classified by the board of trustees
2 of the school district as a professional-technical employee.

3 (2) "Other staff" means all persons who are not reported as
4 administrators or teachers, including, without limitation:

5 (I) School counselors, school nurses and other employees
6 who spend at least 50 percent of their work year providing
7 emotional support, noninstructional guidance or medical support to
8 pupils;

9 (II) Noninstructional support staff, including, without
10 limitation, janitors, school police officers and maintenance staff; and

11 (III) Persons classified by the board of trustees of the
12 school district as professional-technical employees, including,
13 without limitation, technical employees and employees on the
14 professional-technical pay scale.

15 (3) "Teacher" means a person licensed pursuant to chapter
16 391 of NRS who is classified by the board of trustees of the school
17 district:

18 (I) As a teacher and who spends at least 50 percent of his
19 or her work year providing instruction or discipline to pupils; or

20 (II) As instructional support staff, who does not hold a
21 supervisory position and who spends not more than 50 percent of
22 his or her work year providing instruction to pupils. Such
23 instructional support staff includes, without limitation, librarians
24 and persons who provide instructional support.

25 (e) The total number of persons employed by the school district,
26 including without limitation, each charter school sponsored by the
27 district. Each such person must be reported as either an
28 administrator, a teacher or other staff and must not be reported in
29 more than one category. In addition to the total number of persons
30 employed by the school district in each category, the report must
31 include the number of employees in each of the three categories
32 expressed as a percentage of the total number of persons employed
33 by the school district. As used in this paragraph, "administrator,"
34 "other staff" and "teacher" have the meanings ascribed to them in
35 paragraph (d).

36 (f) Information on the professional qualifications of teachers
37 employed by each school in the district and the district as a whole,
38 including, without limitation, each charter school sponsored by the
39 district. The information must include, without limitation:

40 (1) The percentage of teachers who are:

41 (I) Providing instruction pursuant to NRS 391.125;

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



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

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

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

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

(I) 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) 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) 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) 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.

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

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



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

3 (2) The curriculum used by each charter school sponsored by
4 the district.

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

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

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

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

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

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

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

30 (k) Records of attendance of teachers who provide instruction,
31 for each school in the district and the district as a whole, including,
32 without limitation, each charter school sponsored by the district.

33 (l) Efforts made by the school district and by each school in the
34 district, including, without limitation, each charter school sponsored
35 by the district, to increase:

36 (1) Communication with the parents of pupils enrolled in the
37 district;

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

42 (3) The involvement of parents and the engagement of
43 families of pupils enrolled in the district in the education of their
44 children.



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

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

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

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

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

(r) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by 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.

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

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

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

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

(u) For each high school in the district, including, without limitation, each charter school sponsored by 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.

(v) The technological facilities and equipment available at each school, including, without limitation, each charter school sponsored



1 by the district, and the district's plan to incorporate educational
2 technology at each school.

3 (w) For each school in the district and the district as a whole,
4 including, without limitation, each charter school sponsored by the
5 district, the number and percentage of pupils who received:

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

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

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

10 (2) An adult diploma.

11 (3) An adjusted diploma.

12 (4) A certificate of attendance.

13 (x) For each school in the district and the district as a whole,
14 including, without limitation, each charter school sponsored by the
15 district, the number and percentage of pupils who failed to pass the
16 high school proficiency examination.

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

23 (z) The amount and sources of money received for the training
24 and professional development of teachers and other educational
25 personnel for each school in the district and for the district as a
26 whole, including, without limitation, each charter school sponsored
27 by the district.

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

33 (bb) Information on whether each public school in the district,
34 including, without limitation, each charter school sponsored by the
35 district, has made adequate yearly progress, including, without
36 limitation:

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

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

44 (cc) Information on the paraprofessionals employed by each
45 public school in the district, including, without limitation, each



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1 charter school sponsored by the district. The information must
2 include:

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

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

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

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

23 (ff) For each school in the district and the district as a whole,
24 including, without limitation, each charter school sponsored by the
25 district, information on pupils enrolled in career and technical
26 education, including, without limitation:

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

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

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

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

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

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

44 (gg) The number of incidents resulting in suspension or
45 expulsion for bullying, cyber-bullying, harassment or intimidation,



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

3 (hh) *For each school in the district and the district as a whole,*
4 *including, without limitation, each charter school sponsored by*
5 *the district, information regarding the progression of pupils who*
6 *are limited English proficient in attaining proficiency in the*
7 *English language, including, without limitation:*

8 (1) *The number of pupils who were identified as limited*
9 *English proficient at the beginning of the school year, were*
10 *continually enrolled throughout the school year and were*
11 *identified as proficient in English by the completion of the school*
12 *year;*

13 (2) *The achievement and proficiency of pupils who are*
14 *limited English proficient in comparison to the pupils who are*
15 *proficient in English;*

16 (3) *A comparison of pupils who are limited English*
17 *proficient and pupils who are proficient in the English language*
18 *in the following areas:*

19 (I) *Retention rates;*

20 (II) *Graduation rates;*

21 (III) *Dropout rates;*

22 (IV) *Grade point averages; and*

23 (V) *Scores on the examinations administered pursuant*
24 *to NRS 389.015 and 389.550; and*

25 (4) *Results of the assessments and reassessments of pupils*
26 *who are limited English proficient, reported separately by the*
27 *primary language of the pupils, pursuant to the policy developed*
28 *by the board of trustees of the school district pursuant to section 5*
29 *of this act.*

30 (ii) Such other information as is directed by the Superintendent
31 of Public Instruction.

32 3. The State Public Charter School Authority and each college
33 or university within the Nevada System of Higher Education that
34 sponsors a charter school shall, on or before September 30 of each
35 year, prepare an annual report of accountability of the charter
36 schools sponsored by the State Public Charter School Authority or
37 institution, as applicable, concerning the accountability information
38 prescribed by the Department pursuant to this section. The
39 Department, in consultation with the State Public Charter School
40 Authority and each college or university within the Nevada System
41 of Higher Education that sponsors a charter school, shall prescribe
42 by regulation the information that must be prepared by the State
43 Public Charter School Authority and institution, as applicable,
44 which must include, without limitation, the information contained in
45 paragraphs (a) to ~~((hh))~~ (ii), inclusive, of subsection 2, as applicable



1 to charter schools. The Department shall provide for public
2 dissemination of the annual report of accountability prepared
3 pursuant to this section in the manner set forth in 20 U.S.C. §
4 6311(h)(2)(E) by posting a copy of the report on the Internet website
5 maintained by the Department.

6 4. The records of attendance maintained by a school for
7 purposes of paragraph (k) of subsection 2 or maintained by a charter
8 school for purposes of the reporting required pursuant to subsection
9 3 must include the number of teachers who are in attendance at
10 school and the number of teachers who are absent from school. A
11 teacher shall be deemed in attendance if the teacher is excused from
12 being present in the classroom by the school in which the teacher is
13 employed for one of the following reasons:

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

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

18 5. The annual report of accountability prepared pursuant to
19 subsection 2 or 3, as applicable, must:

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

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

25 6. The Superintendent of Public Instruction shall:

26 (a) Prescribe forms for the reports required pursuant to
27 subsections 2 and 3 and provide the forms to the respective school
28 districts, the State Public Charter School Authority and each college
29 or university within the Nevada System of Higher Education that
30 sponsors a charter school.

31 (b) Provide statistical information and technical assistance to the
32 school districts, the State Public Charter School Authority and each
33 college or university within the Nevada System of Higher Education
34 that sponsors a charter school to ensure that the reports provide
35 comparable information with respect to each school in each district,
36 each charter school and among the districts and charter schools
37 throughout this State.

38 (c) Consult with a representative of the:

39 (1) Nevada State Education Association;

40 (2) Nevada Association of School Boards;

41 (3) Nevada Association of School Administrators;

42 (4) Nevada Parent Teacher Association;

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

44 (6) Legislative Counsel Bureau; and

45 (7) Charter School Association of Nevada,



1 ↳ concerning the program and consider any advice or
2 recommendations submitted by the representatives with respect to
3 the program.

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

9 8. On or before September 30 of each year:

10 (a) The board of trustees of each school district shall submit to
11 each advisory board to review school attendance created in the
12 county pursuant to NRS 392.126 the information required in
13 paragraph (i) of subsection 2.

14 (b) The State Public Charter School Authority and each college
15 or university within the Nevada System of Higher Education that
16 sponsors a charter school shall submit to each advisory board to
17 review school attendance created in a county pursuant to NRS
18 392.126 the information regarding the records of the attendance and
19 truancy of pupils enrolled in the charter school located in that
20 county, if any, in accordance with the regulations prescribed by the
21 Department pursuant to subsection 3.

22 9. On or before September 30 of each year:

23 (a) The board of trustees of each school district, the State Public
24 Charter School Authority and each college or university within the
25 Nevada System of Higher Education that sponsors a charter school
26 shall provide written notice that the report required pursuant to
27 subsection 2 or 3, as applicable, is available on the Internet website
28 maintained by the school district, State Public Charter School
29 Authority or institution, if any, or otherwise provide written notice
30 of the availability of the report. The written notice must be provided
31 to the:

- 32 (1) Governor;
33 (2) State Board;
34 (3) Department;
35 (4) Committee; and
36 (5) Bureau.

37 (b) The board of trustees of each school district, the State Public
38 Charter School Authority and each college or university within the
39 Nevada System of Higher Education that sponsors a charter school
40 shall provide for public dissemination of the annual report of
41 accountability prepared pursuant to subsection 2 or 3, as applicable,
42 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a
43 copy of the report on the Internet website maintained by the school
44 district, the State Public Charter School Authority or the institution,
45 if any. If a school district does not maintain a website, the district



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1 shall otherwise provide for public dissemination of the annual report
2 by providing a copy of the report to the schools in the school
3 district, including, without limitation, each charter school sponsored
4 by the district, the residents of the district, and the parents and
5 guardians of pupils enrolled in schools in the district, including,
6 without limitation, each charter school sponsored by the district. If
7 the State Public Charter School Authority or the institution does not
8 maintain a website, the State Public Charter School Authority or the
9 institution, as applicable, shall otherwise provide for public
10 dissemination of the annual report by providing a copy of the report
11 to each charter school it sponsors and the parents and guardians of
12 pupils enrolled in each charter school it sponsors.

13 10. Upon the request of the Governor, an entity described in
14 paragraph (a) of subsection 9 or a member of the general public, the
15 board of trustees of a school district, the State Public Charter School
16 Authority or a college or university within the Nevada System of
17 Higher Education that sponsors a charter school, as applicable, shall
18 provide a portion or portions of the report required pursuant to
19 subsection 2 or 3, as applicable.

20 11. As used in this section:

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

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

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

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

28 (e) "Intimidation" has the meaning ascribed to it in
29 NRS 388.129.

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

32 **Sec. 1.5.** Chapter 388 of NRS is hereby amended by adding
33 thereto the provisions set forth as sections 2 to 6, inclusive, of this
34 act.

35 **Sec. 2. *The Legislature finds and declares that:***

36 ***1. It is the public policy of this State to provide every child***
37 ***enrolled in a public school with high-quality instruction.***

38 ***2. Children who are limited English proficient benefit from***
39 ***instruction that is designed to address the academic and linguistic***
40 ***needs of those children.***

41 ***3. It is the intent of the Legislature that children who are***
42 ***limited English proficient be provided with instruction which is***
43 ***designed to address the academic needs of such children so that***
44 ***those children attain proficiency in the English language and***
45 ***improve their overall academic achievement and proficiency.***



1 **Sec. 3. 1. The English Mastery Council is hereby created.**
2 **The English Mastery Council consists of the following 16**
3 **members:**

4 **(a) The Superintendent of Public Instruction, or his or her**
5 **designee, who serves as an ex officio member of the English**
6 **Mastery Council.**

7 **(b) Two members who have knowledge and expertise in**
8 **language acquisition and who represent the Nevada System of**
9 **Higher Education, appointed by the Board of Regents of the**
10 **University of Nevada.**

11 **(c) Two members who are teachers at public schools in this**
12 **State, hold a master's degree to teach English as a second**
13 **language and have knowledge and expertise in providing**
14 **instruction to pupils who are limited English proficient, appointed**
15 **by the Governor from a list of nominees submitted by the Majority**
16 **Leader of the Senate and the Nevada State Education Association,**
17 **or its successor organization. In compiling the list of nominees,**
18 **the Majority Leader of the Senate and the Nevada State Education**
19 **Association, or its successor organization, shall solicit the advice**
20 **and recommendation of persons who have knowledge and**
21 **expertise in providing instruction to pupils who are limited**
22 **English proficient. The Governor shall ensure that the members**
23 **appointed pursuant to this paragraph represent the geographic**
24 **and ethnic diversity of this State.**

25 **(d) Two members who are parents or legal guardians of pupils**
26 **who are limited English proficient, appointed by the Governor**
27 **from a list of nominees submitted by the Speaker of the Assembly**
28 **and the Nevada Parent Teacher Association. The Governor shall**
29 **ensure that the members appointed pursuant to this paragraph**
30 **represent the geographic and ethnic diversity of this State.**

31 **(e) Two members who are school-level administrators, one of**
32 **whom is employed by a school district in a county whose**
33 **population is 100,000 or more and one of whom is employed by a**
34 **school district in a county whose population is less than 100,000,**
35 **appointed by the Governor from a list of nominees submitted by**
36 **the Nevada Association of School Administrators.**

37 **(f) Two members who are school-district-level administrators,**
38 **one of whom is employed by a school district in a county whose**
39 **population is 100,000 or more and one of whom is employed by a**
40 **school district in a county whose population is less than 100,000,**
41 **appointed by the Governor from a list of nominees submitted by**
42 **the Nevada Association of School Administrators.**

43 **(g) One member who is a member of a board of trustees of a**
44 **school district, appointed by the Governor from a list of nominees**
45 **submitted by the Nevada Association of School Boards.**



1 (h) Two members who are representatives of the general
2 public, private business and industry in this State or nonprofit
3 organizations and who have been leaders in education reform
4 related to pupils who are limited English proficient, appointed by
5 the Governor.

6 (i) Two members with expertise in the development of public
7 policy relating to the education of pupils who are limited English
8 proficient, appointed by the Superintendent of Public Instruction
9 upon the advice and recommendation of persons who have
10 knowledge and expertise in providing instruction to pupils who are
11 limited English proficient.

12 2. Each appointed member of the English Mastery Council
13 serves a term of 2 years and may be reappointed to additional
14 terms.

15 3. A vacancy on the English Mastery Council must be filled
16 in the same manner as the original appointment.

17 4. The English Mastery Council shall, at its first meeting and
18 annually thereafter, elect a Chair from among its members.

19 5. The English Mastery Council shall meet at least quarterly
20 and may meet at other times upon the call of the Chair.

21 6. Members of the English Mastery Council serve without
22 compensation, except that for each day or portion of a day during
23 which a member of the Council attends a meeting of the Council
24 or is otherwise engaged in the business of the Council, the
25 member is entitled to receive the per diem allowances and travel
26 expenses provided for state officers and employees generally.

27 7. A member of the English Mastery Council who is a public
28 employee must be granted administrative leave from the member's
29 duties to engage in the business of the Council without loss of his
30 or her regular compensation. Such leave does not reduce the
31 amount of the member's other accrued leave.

32 8. The English Mastery Council may apply for and accept
33 gifts, grants, donations and contributions from any source for the
34 purpose of carrying out its duties pursuant to section 4 of this act.

35 9. The Department shall provide administrative support to the
36 English Mastery Council.

37 Sec. 4. The English Mastery Council created by section 3 of
38 this act shall:

39 1. Make recommendations to the State Board for the adoption
40 of regulations concerning criteria for the policies to teach English
41 to pupils who are limited English proficient that are developed
42 pursuant to section 5 of this act.

43 2. Review annually each policy to teach English to pupils
44 who are limited English proficient that is developed pursuant to



1 *section 5 of this act and make recommendations for improvement*
2 *to each board of trustees.*

3 *3. Make recommendations to the Superintendent of Public*
4 *Instruction and the Commission on Professional Standards in*
5 *Education for the adoption of regulations pursuant to NRS*
6 *391.019 concerning the requirements for an endorsement to teach*
7 *English as a second language, including, without limitation, the*
8 *teachers who should be required to obtain the endorsement.*

9 *4. Develop standards and criteria for a curriculum for pupils*
10 *who are limited English proficient and submit those standards and*
11 *criteria to the State Board for consideration.*

12 *5. Review any course of study offered by the Nevada System*
13 *of Higher Education for training to teach English as a second*
14 *language to determine if the course of study, including, without*
15 *limitation, student teaching, is sufficiently rigorous to provide*
16 *teachers with the tools necessary to improve the English*
17 *proficiency and academic achievement and proficiency of pupils*
18 *who are limited English proficient.*

19 *6. Make recommendations to the Board of Regents of the*
20 *University of Nevada for the improvement of any course of study*
21 *described in subsection 5 and submit a copy of those*
22 *recommendations to the Governor.*

23 **Sec. 4.5.** *1. On or before February 1 of each year, the*
24 *English Mastery Council created by section 3 of this act shall*
25 *prepare an annual report concerning the status of the Council in*
26 *carrying out its duties prescribed by section 4 of this act,*
27 *including, without limitation, a description of the*
28 *recommendations made by the Council to the Superintendent of*
29 *Public Instruction, the Commission on Professional Standards in*
30 *Education, the State Board and the boards of trustees of school*
31 *districts and the response of each of those entities to the*
32 *recommendations.*

33 *2. The report prepared pursuant to subsection 1 must be*
34 *submitted to the Governor and:*

35 *(a) In odd-numbered years, to the Director of the Legislative*
36 *Counsel Bureau for transmittal to the Senate and Assembly*
37 *Standing Committees on Education.*

38 *(b) In even-numbered years, to the Legislative Committee on*
39 *Education.*

40 **Sec. 5.** *1. The board of trustees of each school district shall*
41 *develop a policy for the instruction to teach English to pupils who*
42 *are limited English proficient. The policy must be designed to*
43 *provide pupils enrolled in each public school located in the school*
44 *district who are limited English proficient with instruction that*



1 *enables those pupils to attain proficiency in the English language*
2 *and improve their overall academic achievement and proficiency.*

3 2. *The policy developed pursuant to subsection 1 must:*

4 (a) *Provide for the identification of pupils who are limited*
5 *English proficient through the use of an appropriate assessment;*

6 (b) *Provide for the periodic reassessment of each pupil who is*
7 *classified as limited English proficient;*

8 (c) *Be designed to eliminate any gaps in achievement between*
9 *those pupils who are limited English proficient and pupils who are*
10 *proficient in English;*

11 (d) *Provide opportunities for the parents or legal guardians of*
12 *pupils who are limited English proficient to participate in the*
13 *program; and*

14 (e) *Provide to each pupil who is limited English proficient and*
15 *whose academic achievement and proficiency is two or more grade*
16 *levels below the grade level in which he or she is enrolled, an*
17 *individualized special program of instruction for language*
18 *acquisition.*

19 3. *The board of trustees shall:*

20 (a) *Provide teachers employed by the school district who are*
21 *providing instruction to pupils who are limited English proficient*
22 *with the instructional materials that are designed to improve the*
23 *language acquisition and academic achievement and proficiency*
24 *of such pupils; and*

25 (b) *Provide the parents and legal guardians of pupils who are*
26 *limited English proficient with information on other programs*
27 *which are designed to improve the language acquisition and*
28 *academic achievement and proficiency of pupils who are limited*
29 *English proficient and assist those parents and legal guardians in*
30 *enrolling those pupils in such programs.*

31 **Sec. 6.** (Deleted by amendment.)

32 **Sec. 7.** NRS 388.405 is hereby amended to read as follows:

33 388.405 The State Board shall:

34 1. ~~Establish a program to teach the English language to pupils~~
35 ~~who are limited English proficient.~~

36 ~~—2.— Adopt regulations to carry out the program. The~~
37 ~~regulations must prescribe the procedure by which a school district~~
38 ~~may obtain a waiver from the requirements of the program.~~

39 ~~—3.—~~ *prescribing criteria for a policy for the instruction to teach*
40 *English to pupils who are limited English proficient which is*
41 *developed by the board of trustees of each school district pursuant*
42 *to section 5 of this act. The Superintendent of Public Instruction*
43 *shall monitor each school district's compliance with the criteria*
44 *prescribed by the State Board pursuant to this subsection.*



2. Submit all evaluations required pursuant to 20 U.S.C. §§ 6801 et seq. and the regulations adopted pursuant thereto regarding the programs for pupils who are limited English proficient carried out pursuant to that provision of federal law to the:

(a) Governor;

(b) *Legislative Committee on Education;*

(c) *Director of the Legislative Counsel Bureau for transmittal to the Senate and Assembly Standing Committees on Education;* and

(d) Board of trustees of each school district.

Sec. 8. (Deleted by amendment.)

Sec. 9. (Deleted by amendment.)

Sec. 10. (Deleted by amendment.)

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)

Sec. 12.5. NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in NRS 391.027, the Commission shall adopt regulations:

(a) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of those licenses. The regulations:

(1) Must include, without limitation, the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure which provides that the required education and training may be provided by any qualified provider which has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher education. The regulations adopted pursuant to this subparagraph must:

(I) Establish the requirements for approval as a qualified provider;

(II) Require a qualified provider to be selective in its acceptance of students;

(III) Require a qualified provider to provide supervised, school-based experiences and ongoing support for its students, such as mentoring and coaching;

(IV) Significantly limit the amount of course work required or provide for the waiver of required course work for students who achieve certain scores on tests;

(V) Allow for the completion in 2 years or less of the education and training required under the alternative route to licensure;



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(VI) Provide that a person who has completed the education and training required under the alternative route to licensure and who has satisfied all other requirements for licensure may apply for a regular license pursuant to sub-subparagraph (VII) regardless of whether the person has received an offer of employment from a school district, charter school or private school; and

(VII) Upon the completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, provide for the issuance of a regular license to the person pursuant to the provisions of this chapter and the regulations adopted pursuant to this chapter.

(2) Must not prescribe qualifications which are more stringent than the qualifications set forth in NRS 391.0315 for a licensed teacher who applies for an additional license in accordance with that section.

(b) Identifying fields of specialization in teaching which require the specialized training of teachers.

(c) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization ~~+~~ *, including, without limitation, an endorsement to teach English as a second language based upon the recommendations of the English Mastery Council pursuant to section 4 of this act.*

(d) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(e) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being registered with the Aging and Disability Services Division of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting.

(f) Requiring teachers and other educational personnel to be registered with the Aging and Disability Services Division pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting if they:

(1) Provide instruction or other educational services; and

(2) Concurrently engage in the practice of interpreting, as defined in NRS 656A.060.

(g) Providing for the issuance and renewal of a special qualifications license to an applicant who holds a bachelor's degree, a master's degree or a doctoral degree from an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and who has:



(1) At least 2 years of experience teaching at an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and at least 3 years of experience working in that field; or

(2) At least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.

➤ An applicant for licensure pursuant to this paragraph who holds a bachelor's degree must submit proof of participation in a program of student teaching or mentoring or agree to participate in a program of mentoring or courses of pedagogy for the first 2 years of the applicant's employment as a teacher with a school district or charter school.

(h) Requiring an applicant for a special qualifications license to:

(1) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(2) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the bachelor's degree, master's degree or doctoral degree held by the applicant.

(i) Setting forth the subject areas that may be taught by a person who holds a special qualifications license, based upon the subject area of the bachelor's degree, master's degree or doctoral degree held by that person.

(j) Providing for the issuance and renewal of a special qualifications license to an applicant who:

(1) Holds a bachelor's degree or a graduate degree from an accredited college or university in the field for which the applicant will be providing instruction;

(2) Is not licensed to teach public school in another state;

(3) Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and

(4) Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of the applicant's employment as a teacher with a school district or charter school if the applicant holds a graduate degree or, if the applicant holds a bachelor's degree, submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring or courses of pedagogy for the first 2 years of his or her employment as a teacher with a school district or charter school.



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1 ➤ An applicant for licensure pursuant to this paragraph is exempt
2 from each examination required by NRS 391.021 if the applicant
3 successfully passed the examination in another state.

4 (k) Prescribing course work on parental involvement and family
5 engagement. The Commission shall work in cooperation with the
6 Office of Parental Involvement and Family Engagement created by
7 NRS 385.630 in developing the regulations required by this
8 paragraph.

9 2. Except as otherwise provided in NRS 391.027, the
10 Commission may adopt such other regulations as it deems necessary
11 for its own government or to carry out its duties.

12 3. Any regulation which increases the amount of education,
13 training or experience required for licensing:

14 (a) Must, in addition to the requirements for publication in
15 chapter 233B of NRS, be publicized before its adoption in a manner
16 reasonably calculated to inform those persons affected by the
17 change.

18 (b) Must not become effective until at least 1 year after the date
19 it is adopted by the Commission.

20 (c) Is not applicable to a license in effect on the date the
21 regulation becomes effective.

22 4. A person who is licensed pursuant to paragraph (g) or (j) of
23 subsection 1:

24 (a) Shall comply with all applicable statutes and regulations.

25 (b) Except as otherwise provided by specific statute, is entitled
26 to all benefits, rights and privileges conferred by statutes and
27 regulations on licensed teachers.

28 (c) Except as otherwise provided by specific statute, if the
29 person is employed as a teacher by the board of trustees of a school
30 district or the governing body of a charter school, is entitled to all
31 benefits, rights and privileges conferred by statutes and regulations
32 on the licensed employees of a school district or charter school, as
33 applicable.

34 **Sec. 12.7.** NRS 391.019 is hereby amended to read as follows:

35 391.019 1. Except as otherwise provided in NRS 391.027,
36 the Commission shall adopt regulations:

37 (a) Prescribing the qualifications for licensing teachers and other
38 educational personnel, including, without limitation, the
39 qualifications for a license to teach middle school or junior high
40 school education, and the procedures for the issuance and renewal of
41 those licenses. The regulations:

42 (1) Must include, without limitation, the qualifications for
43 licensing teachers and administrators pursuant to an alternative route
44 to licensure which provides that the required education and training
45 may be provided by any qualified provider which has been approved



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1 by the Commission, including, without limitation, institutions of
2 higher education and other providers that operate independently of
3 an institution of higher education. The regulations adopted pursuant
4 to this subparagraph must:

5 (I) Establish the requirements for approval as a qualified
6 provider;

7 (II) Require a qualified provider to be selective in its
8 acceptance of students;

9 (III) Require a qualified provider to provide supervised,
10 school-based experiences and ongoing support for its students, such
11 as mentoring and coaching;

12 (IV) Significantly limit the amount of course work
13 required or provide for the waiver of required course work for
14 students who achieve certain scores on tests;

15 (V) Allow for the completion in 2 years or less of the
16 education and training required under the alternative route to
17 licensure;

18 (VI) Provide that a person who has completed the
19 education and training required under the alternative route to
20 licensure and who has satisfied all other requirements for licensure
21 may apply for a regular license pursuant to sub-subparagraph (VII)
22 regardless of whether the person has received an offer of
23 employment from a school district, charter school or private school;
24 and

25 (VII) Upon the completion by a person of the education
26 and training required under the alternative route to licensure and the
27 satisfaction of all other requirements for licensure, provide for the
28 issuance of a regular license to the person pursuant to the provisions
29 of this chapter and the regulations adopted pursuant to this chapter.

30 (2) Must not prescribe qualifications which are more
31 stringent than the qualifications set forth in NRS 391.0315 for a
32 licensed teacher who applies for an additional license in accordance
33 with that section.

34 (b) Identifying fields of specialization in teaching which require
35 the specialized training of teachers.

36 (c) Except as otherwise provided in NRS 391.125, requiring
37 teachers to obtain from the Department an endorsement in a field of
38 specialization to be eligible to teach in that field of specialization,
39 including, without limitation, an endorsement to teach English as a
40 second language . ~~Based upon the recommendations of the English
41 Mastery Council pursuant to section 4 of this act.~~

42 (d) Setting forth the educational requirements a teacher must
43 satisfy to qualify for an endorsement in each field of specialization.

44 (e) Setting forth the qualifications and requirements for
45 obtaining a license or endorsement to teach American Sign



1 Language, including, without limitation, being registered with the
2 Aging and Disability Services Division of the Department of Health
3 and Human Services pursuant to NRS 656A.100 to engage in the
4 practice of interpreting in an educational setting.

5 (f) Requiring teachers and other educational personnel to be
6 registered with the Aging and Disability Services Division pursuant
7 to NRS 656A.100 to engage in the practice of interpreting in an
8 educational setting if they:

9 (1) Provide instruction or other educational services; and

10 (2) Concurrently engage in the practice of interpreting, as
11 defined in NRS 656A.060.

12 (g) Providing for the issuance and renewal of a special
13 qualifications license to an applicant who holds a bachelor's degree,
14 a master's degree or a doctoral degree from an accredited degree-
15 granting postsecondary educational institution in a field for which
16 the applicant will provide instruction in a classroom and who has:

17 (1) At least 2 years of experience teaching at an accredited
18 degree-granting postsecondary educational institution in a field for
19 which the applicant will provide instruction in a classroom and at
20 least 3 years of experience working in that field; or

21 (2) At least 5 years of experience working in a field for
22 which the applicant will provide instruction in a classroom.

23 ➤ An applicant for licensure pursuant to this paragraph who holds a
24 bachelor's degree must submit proof of participation in a program of
25 student teaching or mentoring or agree to participate in a program of
26 mentoring or courses of pedagogy for the first 2 years of the
27 applicant's employment as a teacher with a school district or charter
28 school.

29 (h) Requiring an applicant for a special qualifications license to:

30 (1) Pass each examination required by NRS 391.021 for the
31 specific subject or subjects in which the applicant will provide
32 instruction; or

33 (2) Hold a valid license issued by a professional licensing
34 board of any state that is directly related to the subject area of the
35 bachelor's degree, master's degree or doctoral degree held by the
36 applicant.

37 (i) Setting forth the subject areas that may be taught by a person
38 who holds a special qualifications license, based upon the subject
39 area of the bachelor's degree, master's degree or doctoral degree
40 held by that person.

41 (j) Providing for the issuance and renewal of a special
42 qualifications license to an applicant who:

43 (1) Holds a bachelor's degree or a graduate degree from an
44 accredited college or university in the field for which the applicant
45 will be providing instruction;



1 (2) Is not licensed to teach public school in another state;
2 (3) Has at least 5 years of experience teaching with
3 satisfactory evaluations at a school that is accredited by a national or
4 regional accrediting agency recognized by the United States
5 Department of Education; and

6 (4) Submits proof of participation in a program of student
7 teaching or mentoring or agrees to participate in a program of
8 mentoring for the first year of the applicant's employment as a
9 teacher with a school district or charter school if the applicant holds
10 a graduate degree or, if the applicant holds a bachelor's degree,
11 submits proof of participation in a program of student teaching or
12 mentoring or agrees to participate in a program of mentoring or
13 courses of pedagogy for the first 2 years of his or her employment as
14 a teacher with a school district or charter school.

15 ➔ An applicant for licensure pursuant to this paragraph is exempt
16 from each examination required by NRS 391.021 if the applicant
17 successfully passed the examination in another state.

18 (k) Prescribing course work on parental involvement and family
19 engagement. The Commission shall work in cooperation with the
20 Office of Parental Involvement and Family Engagement created by
21 NRS 385.630 in developing the regulations required by this
22 paragraph.

23 2. Except as otherwise provided in NRS 391.027, the
24 Commission may adopt such other regulations as it deems necessary
25 for its own government or to carry out its duties.

26 3. Any regulation which increases the amount of education,
27 training or experience required for licensing:

28 (a) Must, in addition to the requirements for publication in
29 chapter 233B of NRS, be publicized before its adoption in a manner
30 reasonably calculated to inform those persons affected by the
31 change.

32 (b) Must not become effective until at least 1 year after the date
33 it is adopted by the Commission.

34 (c) Is not applicable to a license in effect on the date the
35 regulation becomes effective.

36 4. A person who is licensed pursuant to paragraph (g) or (j) of
37 subsection 1:

38 (a) Shall comply with all applicable statutes and regulations.

39 (b) Except as otherwise provided by specific statute, is entitled
40 to all benefits, rights and privileges conferred by statutes and
41 regulations on licensed teachers.

42 (c) Except as otherwise provided by specific statute, if the
43 person is employed as a teacher by the board of trustees of a school
44 district or the governing body of a charter school, is entitled to all
45 benefits, rights and privileges conferred by statutes and regulations



1 on the licensed employees of a school district or charter school, as
2 applicable.

3 **Sec. 13.** Chapter 396 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *If the System offers a course of study for obtaining an*
6 *endorsement to teach English as a second language, the Board of*
7 *Regents may take into consideration the recommendations*
8 *submitted by the English Mastery Council pursuant to section 4 of*
9 *this act in developing the curriculum and standards for the course*
10 *of study.*

11 **Sec. 13.3.** 1. There is hereby appropriated from the State
12 General Fund to the Department of Education for the costs
13 associated with the duties of the English Mastery Council created by
14 section 3 of this act the sum of \$50,000.

15 2. Any remaining balance of the appropriation made by
16 subsection 1 must not be committed for expenditure after June 30,
17 2015, by the entity to which the appropriation is made or any entity
18 to which money from the appropriation is granted or otherwise
19 transferred in any manner, and any portion of the appropriated
20 money remaining must not be spent for any purpose after
21 September 18, 2015, by either the entity to which the money was
22 appropriated or the entity to which the money was subsequently
23 granted or transferred, and must be reverted to the State General
24 Fund on or before September 18, 2015.

25 **Sec. 13.5.** On or before July 1, 2013, the appointed members
26 of the English Mastery Council created by section 3 of this act must
27 be appointed to initial terms commencing on July 1, 2013, as
28 follows:

29 1. The Board of Regents of the University of Nevada shall
30 appoint to the Council the members described in paragraph (b) of
31 subsection 1 of section 3 of this act to initial terms of 2 years.

32 2. The Governor shall appoint to the Council:

33 (a) The members described in paragraphs (c) and (d) of
34 subsection 1 of section 3 of this act to initial terms of 2 years.

35 (b) The members described in paragraphs (e) and (h) of
36 subsection 1 of section 3 of this act to initial terms of 1 year.

37 (c) The members described in paragraphs (f) and (g) of
38 subsection 1 of section 3 of this act to initial terms of 2 years.

39 3. The Superintendent of Public Instruction shall appoint to the
40 Council the members described in paragraph (i) of subsection 1 of
41 section 3 of this act to initial terms of 1 year.

42 **Sec. 14.** 1. Each board of trustees of a school district shall
43 implement the policy for the instruction to teach English to pupils
44 who are limited English proficient developed by the board of



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trustees pursuant to section 5 of this act commencing with the 2014-2015 school year.

2. On or before July 1, 2014, the board of trustees shall submit the details of the policy for the instruction to teach English to pupils who are limited English proficient developed by the board of trustees pursuant to section 5 of this act to the State Board of Education and to the English Mastery Council created by section 3 of this act.

Sec. 14.5. 1. The English Mastery Council created by section 3 of this act shall perform its duties prescribed by section 4 of this act expeditiously to meet the following targeted dates to:

(a) Satisfy the requirements prescribed by subsection 5 of section 4 of this act on or before January 1, 2014.

(b) Satisfy the requirements prescribed by subsection 6 of section 4 of this act on or before March 1, 2014.

(c) Satisfy the requirements of subsection 3 of section 4 of this act on or before July 1, 2014.

(d) Satisfy the requirements of subsection 2 of section 4 of this act on or before October 1, 2014.

(e) Satisfy the requirements of subsections 1 and 4 of section 4 of this act on or before January 1, 2015.

2. The report required of the English Mastery Council pursuant to section 4.5 of this act must, for the submission in 2014 and 2015, include a description of whether the Council has met or anticipates meeting the targeted dates set forth in subsection 1. If the Council did not meet a targeted date, the report must also include the projected time by which the Council will carry out the duty corresponding to that targeted date.

Sec. 14.7. On or before January 1, 2015, the Commission on Professional Standards in Education shall adopt regulations based upon the recommendations of the English Mastery Council required by paragraph (c) of subsection 1 of NRS 391.019, as amended by section 12.5 of this act.

Sec. 15. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 16. 1. This section and section 13.5 of this act become effective upon passage and approval.

2. Sections 1 to 12.5, inclusive, 13, 13.3 and 14 to 15, inclusive, of this act become effective on July 1, 2013.

3. Sections 3, 4, 4.5 and 13 of this act expire by limitation on June 30, 2019.

4. Section 12.7 of this act becomes effective on July 1, 2019.

