

Amendment No. 900

Assembly Amendment to Senate Bill No. 467 First Reprint (BDR 34-1130)

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.

AAK/WLK



Date: 5/28/2013

S.B. No. 467—Revises provisions relating to education. (BDR 34-1130)



SENATE BILL NO. 467—COMMITTEE ON FINANCE
(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 25, 2013

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-1130)

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

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

AN ACT relating to education; ~~requiring the Superintendent of Public Instruction to establish the Education Advisory Council and prescribing the membership and duties of the Advisory Council;~~ removing the requirement for certain approval of expenditures from the Education Gift Fund; revising provisions governing the qualifications for the Office of Superintendent of Public Instruction and other authorized business pursuits by the Superintendent; revising provisions relating to the payment of the expenses of holding certain conferences; revising provisions relating to deputies within the Department of Education; transferring certain duties from the Superintendent and his or her deputies to the Department of Education; revising provisions governing the Account for Programs for Innovation and the Prevention of Remediation; abolishing the Commission on Educational Excellence; revising the date by which school districts and charter schools are required to submit annual budgetary reports; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Sections 2 4 of this bill require the Superintendent of Public Instruction to establish the Education Advisory Council to advise the Superintendent of Public Instruction and prescribe the membership and duties of the Advisory Council.~~

Section 6 of this bill removes the requirement that any expenditure from the Education Gift Fund be approved by the Legislature or the Interim Finance Committee.

Section 8 of this bill revises the qualifications for the Office of the Superintendent of Public Instruction to remove the requirement that the Superintendent hold a master's degree in the field of education or school administration.

Section 9 of this bill transfers the authority to approve the pursuit by the Superintendent of Public Instruction of any other business or occupation or holding any other office of profit from the State Board of Education to the Governor, who appoints the Superintendent.

Section 10 of this bill removes the requirement under existing law that the expenses of holding teachers' and administrators' conferences be paid from the State Distributive School Account in the State General Fund, not to exceed \$8,400 in any biennium.

Existing law authorizes the Superintendent of Public Instruction to appoint a Deputy Superintendent of Instructional, Research and Evaluative Services and a Deputy Superintendent for Administrative and Fiscal Services and prescribes the qualifications and duties of each of those Deputies. (NRS 385.290-385.320) **Sections 14 and 67** of this bill remove these designated deputies, and instead **section 14** authorizes the Superintendent of Public Instruction to appoint such deputy superintendents as the execution of the Superintendent's duties may require. **Sections 11-13, 15 and 16** of this bill transfer certain duties of the Superintendent of Public Instruction and his or her deputies to the Department of Education.

Existing law creates the Commission on Educational Excellence and authorizes the Commission to make allocations from the Account for Programs for Innovation and the Prevention of Remediation to public schools and consortiums of public schools whose applications are approved by the Commission for programs to improve pupil achievement or innovative programs, or both. (NRS 385.3781-385.379) **Section 67** abolishes the Commission, and **section 18.5** of this bill revises the purpose for which the money in the Account may be used to allow its use only for public schools and public education, as authorized by the Legislature.

Sections 21 and 22 of this bill impose an earlier deadline by which the board of trustees of each school district and the governing body of each charter school, respectively, are required to submit an annual report of their budgets to the Superintendent of Public Instruction and other specified recipients.

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

Section 1. ~~[Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.] (Deleted by amendment.)~~

Sec. 2. ~~[As used in sections 2, 3 and 4 of this act, unless the context otherwise requires, "Education Advisory Council" means the Education Advisory Council established pursuant to section 3 of this act.] (Deleted by amendment.)~~

Sec. 3. ~~[1. The Superintendent of Public Instruction shall establish an Education Advisory Council. The Education Advisory Council is composed of the following voting members:~~

~~(a) One member appointed by the Superintendent from among the members of the Advisory Council on Parental Involvement and Family Engagement established pursuant to NRS 385.610;~~

~~(b) The Chair of the Teachers and Leaders Council of Nevada created by NRS 391.455;~~

~~(c) The Chair of the State Public Charter School Authority;~~

~~(d) One member appointed by the Superintendent who is an administrator or teacher in a public school or a representative of public libraries or the Nevada System of Higher Education and who possesses knowledge of and experience in the use of educational technology in public schools;~~

~~(e) One member appointed by the Superintendent who is an administrator or teacher in a public school who possesses knowledge of and experience in the education of pupils with disabilities; and~~

~~(f) One member appointed by the Superintendent who is an administrator or teacher in a Title I school, as that term is defined in NRS 385.3467.~~

~~2. In addition to the voting members described in subsection 1, the Superintendent of Public Instruction may appoint as nonvoting members of the Education Advisory Council any persons who the Superintendent determines have an interest in the success of pupils who are culturally, ethnically and linguistically diverse.~~

~~3. The Education Advisory Council shall elect a Chair and Vice Chair from among its members. The Chair and Vice Chair each serve a term of 1 year.~~

~~4. The Education Advisory Council shall meet at least once each calendar quarter and at the call of the Superintendent of Public Instruction.~~

~~5. A majority of the voting members of the Education Advisory Council constitutes a quorum for the transaction of all business of the Education Advisory Council.~~

~~6. The Department shall provide:~~

~~(a) Administrative support to the Education Advisory Council; and~~

~~(b) All information that is necessary for the Education Advisory Council to carry out its duties.~~

~~7. Each member of the Education Advisory Council is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally for each day or portion of a day during which the member attends a meeting of the Education Advisory Council or is otherwise engaged in the business of the Education Advisory Council. The per diem allowance and travel expenses for the members of the Education Advisory Council must be paid by the Department.] (Deleted by amendment.)~~

~~Sec. 4. [1. The Education Advisory Council shall advise the Superintendent of Public Instruction on such matters as the Superintendent may require. The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Education Advisory Council are carried out by the Education Advisory Council successfully.~~

~~2. On or before December 31 of each year, the Superintendent of Public Instruction shall submit a written report to the State Board describing the activities of the Education Advisory Council.] (Deleted by amendment.)~~

~~Sec. 5. (Deleted by amendment.)~~

Sec. 6. NRS 385.095 is hereby amended to read as follows:

385.095 Except as otherwise provided in NRS 385.091:

1. All gifts of money which the State Board is authorized to accept must be deposited in a special revenue fund in the State Treasury designated as the Education Gift Fund.

2. The money available in the Education Gift Fund must be used only for the purpose specified by the donor, within the scope of the State Board's powers and duties. ~~1. and no expenditure may be made until approved by the Legislature in an authorized expenditure act or by the Interim Finance Committee if the Legislature is not in session.]~~

3. If all or part of the money accepted by the State Board from a donor is not expended before the end of any fiscal year, the remaining balance of the amount donated must remain in the Education Gift Fund until needed for the purpose specified by the donor.

~~Sec. 7. (Deleted by amendment.)~~

Sec. 8. NRS 385.160 is hereby amended to read as follows:

385.160 To be eligible to the Office of Superintendent of Public Instruction, a person shall:

1. Have attained the age of 21 years at the time of his or her appointment; ~~and~~

~~2. [Hold a master's degree in the field of education or school administration; and~~

~~3.] Possess the knowledge and ability to carry out the duties required by this title and all other statutes and regulations governing K-12 public education.~~

1 **Sec. 9.** NRS 385.170 is hereby amended to read as follows:

2 385.170 The Superintendent shall not pursue any other business or occupation
3 or hold any other office of profit without the approval of the ~~{State Board of~~
4 ~~Education.}~~ **Governor.**

5 **Sec. 10.** NRS 385.190 is hereby amended to read as follows:

6 385.190 1. The Superintendent of Public Instruction or a staff member
7 designated by the Superintendent shall:

8 (a) Convene teachers' conferences in the various sections of the State in such
9 places and at such times as he or she deems advisable.

10 (b) Engage such conference lecturers and leaders as he or she deems advisable.

11 (c) Preside over and regulate the programs of all teachers' conferences.

12 2. No teachers' conference may continue more than 5 days.

13 3. The Superintendent of Public Instruction or the designated staff member
14 shall convene, in such places and at such times as he or she may designate,
15 conferences of school administrators.

16 ~~{4. The expenses of holding teachers' and administrators' conferences must~~
17 ~~be paid from the State Distributive School Account in the State General Fund, but~~
18 ~~the amount must not exceed \$8,400 in any one biennium. The State Controller shall~~
19 ~~draw his or her warrants for such expenses upon the order of the Superintendent of~~
20 ~~Public Instruction.}~~

21 **Sec. 11.** NRS 385.210 is hereby amended to read as follows:

22 385.210 1. The ~~{Superintendent of Public Instruction}~~ **Department** shall
23 prescribe a convenient form of school register for the purpose of securing accurate
24 returns from the teachers of public schools.

25 2. The ~~{Superintendent}~~ **Department** shall prepare ~~{pamphlet}~~ copies of the
26 codified statutes relating to schools and shall transmit a copy to each school, school
27 trustee and other school officer in this State. If the State Board adopts regulations to
28 carry out these codified statutes or if additions or amendments are made to these
29 codified statutes, the ~~{Superintendent}~~ **Department** shall have the regulations,
30 additions or amendments printed and transmitted immediately thereafter. Each
31 ~~{pamphlet}~~ **copy** must be marked "State property—to be turned over to your
32 successor in office." Each school shall maintain a copy ~~{of the pamphlet}~~ with any
33 regulations, additions or amendments in the school library.

34 3. In addition to the requirements set forth in subsection 2, the
35 ~~{Superintendent}~~ **Department** shall, to the extent practicable and not later than July
36 1 of each year, provide to the board of trustees of each school district and to the
37 governing body of each charter school a memorandum that includes:

38 (a) A description of each statute newly enacted by the Legislature which
39 affects the public schools in this State and the pupils who are enrolled in the public
40 schools in this State. The memorandum may compile all the statutes into one
41 document.

42 (b) A description of each bill, or portion of a bill, newly enacted by the
43 Legislature that appropriates or authorizes money for public schools or for
44 employees of a school district or charter school, or both, or otherwise affects the
45 money that is available for public schools or for employees of school districts or
46 charter schools, or both, including, without limitation, each line item in a budget for
47 such an appropriation or authorization. The memorandum may compile all bills, or
48 portions of bills, as applicable, into one document.

49 (c) If a statute or bill described in the memorandum requires the State Board or
50 the Department to take action to carry out the statute or bill, a brief plan for
51 carrying out that statute or bill.

(d) The date on which each statute and bill described in the memorandum becomes effective and the date by which it must be carried into effect by a school district or public school, including, without limitation, a charter school.

4. If a statute or bill described in subsection 3 is enacted during a special session of the Legislature that concludes after July 1, the ~~Superintendent~~ **Department** shall prepare an addendum to the memorandum that includes the information required by this section for each such statute or bill. The addendum must be provided to the board of trustees of each school district and the governing body of each charter school not later than 30 days after the special session concludes.

5. The ~~Superintendent~~ **Department** shall, if directed by the State Board, prepare and publish a bulletin as the official publication of the Department.

Sec. 12. NRS 385.230 is hereby amended to read as follows:

385.230 1. The ~~Superintendent of Public Instruction~~ **Department** shall, in conjunction with the State Board, prepare an annual report of the state of public education in this State. The report must include, without limitation:

(a) An analysis of each annual report of accountability prepared by the State Board pursuant to NRS 385.3469;

(b) An update on the status of K-12 public education in this State;

(c) A description of the most recent vision and mission statements of the State Board and the Department, including, without limitation, the progress made by the State Board and Department in achieving those visions and missions;

(d) A description of the goals and benchmarks for improving the academic achievement of pupils which are included in the plan to improve the achievement of pupils required by NRS 385.34691;

(e) An analysis of the progress the public schools have made in the previous year toward achieving the goals and benchmarks for improving the academic achievement of pupils;

(f) An analysis of whether the standards and examinations adopted by the State Board adequately prepare pupils for success in postsecondary educational institutions and in career and workforce readiness;

(g) An analysis of the extent to which school districts and charter schools recruit and retain effective teachers and principals;

(h) An analysis of the ability of the automated system of accountability information for Nevada established pursuant to NRS 386.650 to link the achievement of pupils to the performance of the individual teachers assigned to those pupils and to the principals of the schools in which the pupils are enrolled;

(i) An analysis of the extent to which the lowest performing public schools have improved the academic achievement of pupils enrolled in those schools;

(j) A summary of the innovative educational programs implemented by public schools which have demonstrated the ability to improve the academic achievement of pupils, including, without limitation:

(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; and

(k) A description of any plan of corrective action requested by the Superintendent of Public Instruction from the board of trustees of a school district or the governing body of a charter school and the status of that plan.

2. In odd-numbered years, the Superintendent of Public Instruction shall present the report *prepared pursuant to subsection 1* in person to the Governor and each standing committee of the Legislature with primary jurisdiction over matters relating to K-12 public education at the beginning of each regular session of the Legislature.

3. In even-numbered years, the Superintendent of Public Instruction shall, on or before January 31, submit a written copy of the report *prepared pursuant to subsection 1* to the Governor and to the Legislative Committee on Education.

Sec. 13. NRS 385.240 is hereby amended to read as follows:

385.240 1. The ~~{Superintendent of Public Instruction}~~ *Department* shall approve or disapprove lists of books for use in public school libraries except for the libraries of charter schools. Such lists must not include books containing or including any story in prose or poetry the tendency of which would be to influence the minds of children in the formation of ideals not in harmony with truth and morality or the American way of life, or not in harmony with the Constitution and laws of the United States or of the State of Nevada.

2. Actions of the ~~{Superintendent}~~ *Department* with respect to lists of books are subject to review and approval or disapproval by the State Board.

Sec. 14. NRS 385.290 is hereby amended to read as follows:

385.290 ~~{H}~~ The Superintendent of Public Instruction may appoint ~~{a Deputy Superintendent of Instructional, Research and Evaluative Services who:~~

~~— (a) Holds a master's degree in school administration or a related subject from an accredited college or university;~~

~~— (b) Has a minimum of 3 years of administrative experience which includes:~~

~~— (1) Supervision and evaluation of staff;~~

~~— (2) Development and administration of budgets; and~~

~~— (3) Development of curriculum;~~

~~2. The Deputy Superintendent of Instructional, Research and Evaluative Services;~~ *such deputy superintendents as the execution of the Superintendent's duties may require. A deputy superintendent*

may perform any duty required of the Superintendent of Public Instruction during the absence of the Superintendent and shall do such work as the Superintendent may direct under the laws of the State.

Sec. 15. NRS 385.310 is hereby amended to read as follows:

385.310 The ~~{Deputy Superintendent for Administrative and Fiscal Services, under the direction of the Superintendent of Public Instruction,}~~ *Department* shall:

1. Determine the apportionment of all state school money to schools of the State as prescribed by law.

2. Develop for public schools of the State a uniform system of budgeting and accounting. The system must provide for the separate reporting of expenditures for each:

(a) School district; and

(b) School within a school district.

➤ Upon approval of the State Board, the system is mandatory for all public schools in this State and must be enforced as provided in subsection 2 of NRS 385.315.

3. Carry on a continuing study of school finance in the State, particularly the method by which schools are financed on the state level, and make such recommendations to the Superintendent of Public Instruction for submission to the State Board as ~~the or she~~ *the Department* deems advisable.

4. Recommend to the Superintendent of Public Instruction for submission to the State Board such changes in budgetary and financial procedures as the studies may show to be advisable.

5. Perform such other statistical and financial duties pertaining to the administration and finances of the schools of the State as may be required by the Superintendent of Public Instruction.

6. Prepare for the Superintendent of Public Instruction the biennial budgets of the Department for consideration by the State Board and submission to the Governor.

Sec. 16. NRS 385.315 is hereby amended to read as follows:

385.315 ~~In addition to any other duties, the Deputy Superintendent for Administrative and Fiscal Services, under the direction of the Superintendent of Public Instruction,~~ **The Department** shall:

1. Investigate any claim against any school fund or an account established under NRS 354.603, 386.570 or 392A.083, as applicable, whenever a written protest against the drawing of a warrant, check or order in payment of the claim is filed with the county auditor, the sponsor of the charter school or the Department. If, upon investigation, the ~~Deputy Superintendent,~~ **Department** finds that any such claim is unearned, illegal or unreasonably excessive, the ~~Deputy Superintendent,~~ **Department** shall notify the county auditor and the clerk of the board of trustees, the governing body of the charter school or the governing body of the university school for profoundly gifted pupils who drew or authorized the order for the claim, stating the reasons in writing why the order is unearned, illegal or excessive. If so notified, the county auditor shall not draw his or her warrant in payment of the claim nor shall the board of trustees, governing body of the charter school or governing body of the university school for profoundly gifted pupils draw a check or order in payment of the claim from an account established under NRS 354.603, 386.570 or 392A.083, as applicable. If the ~~Deputy Superintendent,~~ **Department** finds that any protested claim is legal and actually due the claimant, the ~~Deputy Superintendent,~~ **Department** shall authorize the county auditor, the board of trustees, the governing body of the charter school or the governing body of the university school for profoundly gifted pupils, as applicable, to draw his or her warrant or its check or order on an account established under NRS 354.603, 386.570 or 392A.083, as applicable, for the claim, and the county auditor, the board of trustees or the appropriate governing body shall immediately draw his or her warrant or its check or order in payment of the claim.

2. Inspect the record books and accounts of boards of trustees, governing bodies of charter schools and governing bodies of university schools for profoundly gifted pupils and enforce the uniform method of keeping the financial records and accounts of school districts, charter schools and university schools for profoundly gifted pupils.

3. Inspect the school fund accounts of the county auditors of the several counties and report the condition of the funds of any school district to the board of trustees thereof.

4. Inspect the accounts established by:

(a) The boards of trustees under NRS 354.603 and report the condition of the accounts to the respective boards of county commissioners and county treasurers.

(b) The governing bodies of charter schools under NRS 386.570 and report the condition of the accounts to the respective sponsors of the charter schools and governing bodies of the charter schools.

(c) The governing bodies of university schools for profoundly gifted pupils under NRS 392A.083 and report the condition of the accounts to the Board of Regents of the University of Nevada and the respective governing bodies of the university schools.

1 **Sec. 17.** NRS 385.320 is hereby amended to read as follows:

2 385.320 ~~{The Deputy Superintendent of Instructional, Research and~~
3 ~~Evaluative Services and the Deputy Superintendent for Administrative and Fiscal~~
4 ~~Services:~~

5 ~~1. Are}~~ *Each deputy superintendent appointed by the Superintendent of*
6 *Public Instruction pursuant to NRS 385.290:*

7 1. *Is in the unclassified service of the State.*

8 2. Except as otherwise provided in NRS 284.143, shall each devote his or her
9 entire time and attention to the business of his or her office and shall not pursue any
10 other business or occupation or hold any other office of profit.

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

12 **Sec. 18.5.** NRS 385.379 is hereby amended to read as follows:

13 385.379 1. The Account for Programs for Innovation and the Prevention of
14 Remediation is hereby created in the State General Fund, to be administered by the
15 Superintendent of Public Instruction. The Superintendent of Public Instruction may
16 accept gifts and grants of money from any source for deposit in the Account. Any
17 money from gifts and grants may be expended in accordance with the terms and
18 conditions of the gift or grant, or in accordance with subsection 2 . ~~{or 3.}~~ The
19 interest and income earned on the sum of:

20 (a) The money in the Account; and

21 (b) Unexpended appropriations made to the Account from the State General
22 Fund,

23 ↪ must be credited to the Account. Any money remaining in the Account at the end
24 of a fiscal year does not revert to the State General Fund, and the balance in the
25 Account must be carried forward to the next fiscal year.

26 2. ~~{Except as otherwise provided in NRS 385.3784 and subsection 3, the}~~ *The*
27 *money in the Account may only be used for {the allocation of money to} public*
28 *schools and {consortiums of public schools whose applications are approved by the*
29 *Commission pursuant to NRS 385.3785.*

30 ~~3. Upon the request of the Commission:~~

31 ~~(a) Not more than \$50,000 in the Account may be used each biennium to pay:~~

32 ~~(1) The expenses incurred by members of the Commission to travel to the~~
33 ~~public schools and consortiums of public schools that received allocations of~~
34 ~~money from the Account; and~~

35 ~~(2) The costs incurred by the Commission to hold meetings or conferences~~
36 ~~for representatives of public schools and consortiums of schools that received~~
37 ~~allocations of money from the Account to discuss or display, or both, programs,~~
38 ~~practices and strategies that have proven effective in improving the academic~~
39 ~~achievement and proficiency of pupils;~~

40 ~~(b) Not more than \$450,000 in the Account may be used each biennium to pay~~
41 ~~for an evaluation of the programs for which money was allocated from the Account.~~
42 ~~If the Commission uses money in the Account for such an evaluation, the~~
43 ~~Commission shall ensure that:~~

44 ~~(1) A request for proposals is issued and a qualified, independent~~
45 ~~consultant is selected to conduct the evaluation;~~

46 ~~(2) Upon selection of the consultant, the Commission receives approval of~~
47 ~~the consultant and the plan for the evaluation from the Committee;~~

48 ~~(3) The evaluation is designed to determine the effectiveness of the~~
49 ~~programs for which money was allocated from the Account in improving the~~
50 ~~achievement of pupils;~~

51 ~~(4) The evaluation includes an identification of the programs for which~~
52 ~~money was allocated from the Account that did not improve the achievement of~~
53 ~~pupils as described in the approved application for the grant;~~

~~(5) The evaluation includes an identification of the public schools and consortiums of public schools that did not implement the programs for which money was allocated from the Account as described in the approved application for the grant; and~~

~~(6) The evaluation includes a compilation and review of each evaluation required to be submitted by public schools and consortiums of public schools pursuant to NRS 385.3787.~~ **public education, as authorized by the Legislature.**

Sec. 19. NRS 385.389 is hereby amended to read as follows:

385.389 1. The Department shall adopt programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015 and 389.550, including, without limitation, programs that are designed for pupils who are limited English proficient. The programs adopted for pupils who are limited English proficient must be designed to:

(a) Improve the academic achievement of those pupils; or

(b) Assist those pupils with attaining proficiency in the English language.

➤ In adopting these programs of remedial study, the Department shall consider the recommendations submitted by the Committee pursuant to NRS 218E.615 and programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

2. If a school fails to make adequate yearly progress based upon the results of the examinations administered pursuant to NRS 389.015 or 389.550, the school shall adopt a program of remedial study that has been adopted by the Department pursuant to subsection 1. ~~for a program, practice or strategy recommended by the Commission on Educational Excellence pursuant to NRS 385.3785, or any combination thereof, as applicable.~~

3. A school district that includes a school described in subsection 2 shall ensure that each of the pupils enrolled in the school who failed to demonstrate at least adequate achievement on the examinations administered pursuant to NRS 389.015 or 389.550, as applicable, completes remedial study that is determined to be appropriate for the pupil.

Sec. 20. (Deleted by amendment.)

Sec. 21. NRS 386.600 is hereby amended to read as follows:

386.600 1. On or before November ~~15~~ **1** of each year, the governing body of each charter school shall submit to the sponsor of the charter school, the Superintendent of Public Instruction and the Director of the Legislative Counsel Bureau for transmission to the Majority Leader of the Senate and the Speaker of the Assembly a report that includes:

(a) A written description of the progress of the charter school in achieving the mission and goals of the charter school set forth in its application.

(b) For each fund maintained by the charter school, including, without limitation, the general fund of the charter school and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the governing body in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the final budget of the charter school, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.

(c) The actual expenditures of the charter school in the fiscal year immediately preceding the report.

(d) The proposed expenditures of the charter school for the current fiscal year.

(e) The salary schedule for licensed employees and nonlicensed teachers in the current school year and a statement of whether salary negotiations for the current school year have been completed. If salary negotiations have not been completed at the time the salary schedule is submitted, the governing body shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations.

(f) The number of employees eligible for health insurance within the charter school for the current and preceding fiscal years and the amount paid for health insurance for each such employee during those years.

(g) The rates for fringe benefits, excluding health insurance, paid by the charter school for its licensed employees in the preceding and current fiscal years.

(h) The amount paid for extra duties, supervision of extracurricular activities and supplemental pay and the number of employees receiving that pay in the preceding and current fiscal years.

2. On or before November 25 of each year, the Superintendent of Public Instruction shall submit to the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format approved by the Director of the Department of Administration, a compilation of the reports made by each governing body pursuant to subsection 1.

3. The Superintendent of Public Instruction shall, in the compilation required by subsection 2, reconcile the revenues and expenditures of the charter schools with the apportionment received by those schools from the State Distributive School Account for the preceding year.

Sec. 22. NRS 387.303 is hereby amended to read as follows:

387.303 1. Not later than November ~~10~~ 1 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction and the Department of Taxation a report which includes the following information:

(a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the school district in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the school district's final budget, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.

(b) The school district's actual expenditures in the fiscal year immediately preceding the report.

(c) The school district's proposed expenditures for the current fiscal year.

(d) The schedule of salaries for licensed employees in the current school year and a statement of whether the negotiations regarding salaries for the current school year have been completed. If the negotiations have not been completed at the time the schedule of salaries is submitted, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations or the determination of an arbitrator concerning the negotiations that includes the schedule of salaries agreed to or required by the arbitrator.

(e) The number of employees who received an increase in salary pursuant to subsection 2, 3 or 4 of NRS 391.160 for the current and preceding fiscal years. If the board of trustees is required to pay an increase in salary retroactively pursuant to subsection 2 of NRS 391.160, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction not later than February 15 of the

1 year in which the retroactive payment was made that includes the number of
2 teachers to whom an increase in salary was paid retroactively.

3 (f) The number of employees eligible for health insurance within the school
4 district for the current and preceding fiscal years and the amount paid for health
5 insurance for each such employee during those years.

6 (g) The rates for fringe benefits, excluding health insurance, paid by the school
7 district for its licensed employees in the preceding and current fiscal years.

8 (h) The amount paid for extra duties, supervision of extracurricular activities
9 and supplemental pay and the number of employees receiving that pay in the
10 preceding and current fiscal years.

11 (i) The expenditures from the account created pursuant to subsection 4 of NRS
12 179.1187. The report must indicate the total amount received by the district in the
13 preceding fiscal year and the specific amount spent on books and computer
14 hardware and software for each grade level in the district.

15 2. On or before November 25 of each year, the Superintendent of Public
16 Instruction shall submit to the Department of Administration and the Fiscal
17 Analysis Division of the Legislative Counsel Bureau, in a format approved by the
18 Director of the Department of Administration, a compilation of the reports made by
19 each school district pursuant to subsection 1.

20 3. In preparing the agency biennial budget request for the State Distributive
21 School Account for submission to the Department of Administration, the
22 Superintendent of Public Instruction:

23 (a) Shall compile the information from the most recent compilation of reports
24 submitted pursuant to subsection 2;

25 (b) May increase the line items of expenditures or revenues based on merit
26 salary increases and cost of living adjustments or inflation, as deemed credible and
27 reliable based upon published indexes and research relevant to the specific line item
28 of expenditure or revenue;

29 (c) May adjust expenditures and revenues pursuant to paragraph (b) for any
30 year remaining before the biennium for which the budget is being prepared and for
31 the 2 years of the biennium covered by the biennial budget request to project the
32 cost of expenditures or the receipt of revenues for the specific line items;

33 (d) May consider the cost of enhancements to existing programs or the
34 projected cost of proposed new educational programs, regardless of whether those
35 enhancements or new programs are included in the per pupil basic support
36 guarantee for inclusion in the biennial budget request to the Department of
37 Administration; and

38 (e) Shall obtain approval from the State Board for any inflationary increase,
39 enhancement to an existing program or addition of a new program included in the
40 agency biennial budget request.

41 4. The Superintendent of Public Instruction shall, in the compilation required
42 by subsection 2, reconcile the revenues of the school districts with the
43 apportionment received by those districts from the State Distributive School
44 Account for the preceding year.

45 5. The request prepared pursuant to subsection 3 must:

46 (a) Be presented by the Superintendent of Public Instruction to such standing
47 committees of the Legislature as requested by the standing committees for the
48 purposes of developing educational programs and providing appropriations for
49 those programs; and

50 (b) Provide for a direct comparison of appropriations to the proposed budget of
51 the Governor submitted pursuant to subsection 4 of NRS 353.230.

52 **Sec. 23.** (Deleted by amendment.)

53 **Sec. 24.** (Deleted by amendment.)

1 **Sec. 25.** (Deleted by amendment.)

2 **Sec. 26.** (Deleted by amendment.)

3 **Sec. 27.** (Deleted by amendment.)

4 **Sec. 28.** (Deleted by amendment.)

5 **Sec. 29.** (Deleted by amendment.)

6 **Sec. 30.** (Deleted by amendment.)

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

8 **Sec. 32.** (Deleted by amendment.)

9 **Sec. 33.** (Deleted by amendment.)

10 **Sec. 34.** (Deleted by amendment.)

11 **Sec. 35.** (Deleted by amendment.)

12 **Sec. 36.** (Deleted by amendment.)

13 **Sec. 37.** (Deleted by amendment.)

14 **Sec. 38.** (Deleted by amendment.)

15 **Sec. 39.** (Deleted by amendment.)

16 **Sec. 40.** (Deleted by amendment.)

17 **Sec. 41.** (Deleted by amendment.)

18 **Sec. 42.** (Deleted by amendment.)

19 **Sec. 43.** (Deleted by amendment.)

20 **Sec. 44.** (Deleted by amendment.)

21 **Sec. 45.** (Deleted by amendment.)

22 **Sec. 46.** (Deleted by amendment.)

23 **Sec. 47.** (Deleted by amendment.)

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

25 **Sec. 49.** (Deleted by amendment.)

26 **Sec. 50.** (Deleted by amendment.)

27 **Sec. 51.** (Deleted by amendment.)

28 **Sec. 52.** (Deleted by amendment.)

29 **Sec. 53.** (Deleted by amendment.)

30 **Sec. 54.** (Deleted by amendment.)

31 **Sec. 55.** (Deleted by amendment.)

32 **Sec. 56.** (Deleted by amendment.)

33 **Sec. 57.** (Deleted by amendment.)

34 **Sec. 58.** (Deleted by amendment.)

35 **Sec. 59.** (Deleted by amendment.)

36 **Sec. 60.** (Deleted by amendment.)

37 **Sec. 61.** (Deleted by amendment.)

38 **Sec. 62.** (Deleted by amendment.)

39 **Sec. 63.** (Deleted by amendment.)

40 **Sec. 64.** (Deleted by amendment.)

41 **Sec. 65.** NRS 218E.615 is hereby amended to read as follows:

42 218E.615 1. The Committee may:

43 (a) Evaluate, review and comment upon issues related to education within this
44 State, including, but not limited to:

45 (1) Programs to enhance accountability in education;

46 (2) Legislative measures regarding education;

47 (3) The progress made by this State, the school districts and the public
48 schools in this State in satisfying the goals and objectives of the federal No Child
49 Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and the annual measurable
50 objectives established by the State Board of Education pursuant to NRS 385.361;

51 (4) Methods of financing public education;

52 (5) The condition of public education in the elementary and secondary
53 schools;

(6) The program to reduce the ratio of pupils per class per licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

(7) The development of any programs to automate the receipt, storage and retrieval of the educational records of pupils; and

(8) Any other matters that, in the determination of the Committee, affect the education of pupils within this State.

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section.

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee.

(d) Make recommendations to the Legislature concerning the manner in which public education may be improved.

2. The Committee shall:

(a) In addition to any standards prescribed by the Department of Education, prescribe standards for the review and evaluation of the reports of the State Board of Education, State Public Charter School Authority, school districts and public schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

(b) For the purposes set forth in NRS 385.389, recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to NRS 385.384. In recommending providers, the Committee shall consider providers with a demonstrated record of effectiveness in improving the academic achievement of pupils.

~~[(d) For the purposes set forth in NRS 385.3785, recommend to the Commission on Educational Excellence created by NRS 385.3784 programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.]~~

Sec. 66. (Deleted by amendment.)

Sec. 67. NRS 385.300, 385.3781, 385.3782, 385.3783, 385.37835, 385.3784, 385.3785, 385.3787 and 385.3789 are hereby repealed.

Sec. 68. (Deleted by amendment.)

Sec. 69. (Deleted by amendment.)

Sec. 70. 1. Any administrative regulations adopted by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity remain in force until amended by the officer, agency or other entity to which the responsibility for the adoption of regulations is transferred.

2. Any contracts or other agreements entered into by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity are binding upon the officer, agency or other entity to which the responsibility for the administration of the provisions of the contract or other agreement have been transferred. Such contracts and other agreements may be enforced by the officer, agency or other entity to which the responsibility for the enforcement of the provisions of the contract or other agreement have been transferred.

3. Any actions taken by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the

provisions of this act to another officer, agency or other entity remain in effect as if taken by the officer, agency or other entity to which the responsibility for the enforcement of such actions was transferred.

Sec. 71. The Legislative Counsel shall, in preparing supplements, to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 72. (Deleted by amendment.)

Sec. 73. This act becomes effective upon passage and approval.

LEADLINES OF REPEALED SECTIONS

385.300 Deputy Superintendent for Administrative and Fiscal Services: Qualifications and appointment.

385.3781 Definitions.

385.3782 “Account” defined.

385.3783 “Commission” defined.

385.37835 Superintendent of Public Instruction required to ensure Commission carries out duties successfully.

385.3784 Commission: Creation; membership; terms; meetings; compensation of members; duty of Department to provide administrative support; involvement of the Legislative Counsel Bureau in activities of Commission.

385.3785 Commission: Establishment of program of educational excellence; allocations of money to public schools and consortiums of public schools; Department required to provide list of priorities of schools; review of certain information by Commission.

385.3787 Use of money by public schools and consortiums of public schools that receive allocations from Account; submission of evaluation of effectiveness.

385.3789 Submission of annual reports by Commission; biennial audit of programs by Legislative Auditor.