

SENATE BILL NO. 269—SENATORS FORD, ATKINSON, WOODHOUSE,
KIHUEN, CEGAVSKE; JONES, MANENDO AND SPEARMAN

MARCH 15, 2013

JOINT SPONSORS: ASSEMBLYMEN FRIERSON,
HEALEY AND SPIEGEL

Referred to Committee on Education

SUMMARY—Revises provisions governing education.
(BDR 34-892)

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

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

AN ACT relating to education; requiring the principal of a public school to provide certain pupils with a written statement verifying that the pupil has complied with certain attendance and academic requirements; authorizing a school police officer or certain other persons to impose administrative sanctions against a pupil who is a habitual truant; revising the actions the principal of a school and an advisory board to review school attendance may implement for a pupil who is declared a habitual truant; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides that a child who has been declared truant three or more
2 times within one school year must be declared a habitual truant. (NRS 392.140)
3 Existing law also authorizes the principal of a school to: (1) report a pupil who is
4 declared a habitual truant to a school police officer or to the local law enforcement
5 agency for investigation and issuance of a citation; or (2) refer a pupil who is
6 declared a habitual truant to the advisory board to review school attendance. (NRS
7 392.144) Existing law further prescribes the duties of an advisory board to review
8 school attendance upon receipt of a written referral from the principal of a school
9 and sets forth the actions the advisory board may take against the pupil who is the
10 subject of the written referral. (NRS 392.147) **Sections 7 and 8** of this bill revise
11 the actions which the principal of the school and the advisory board to review
12 school attendance may take to include a referral of the pupil for the imposition of



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administrative sanctions pursuant to **section 5** of this bill. **Section 5** authorizes the school police officer or, if a public school does not have a school police officer, the person designated by the principal of the school to impose administrative sanctions against a pupil who is a habitual truant, which include the delaying of the ability of a pupil to receive a driver's license and the suspension of the pupil's driver's license. **Section 5** also sets forth certain duties of the Department of Motor Vehicles. **Section 5** further authorizes the parent or legal guardian of a pupil against whom administrative sanctions have been imposed to appeal the imposition of those administrative sanctions to the principal or the principal's designee.

Existing law prescribes the requirements for the issuance of a driver's license to a person who is 16 or 17 years of age and the requirements for the issuance of a restricted driver's license to a person who is between the ages of 14 and 18 years. (NRS 483.2521, 483.267, 483.270) **Sections 11-13** of this bill revise the requirements for the issuance of those driver's licenses to require the applicant to submit to the Department of Motor Vehicles written verification that the person: (1) complies with the minimum attendance and academic requirements in public school; (2) is exempt from compulsory public school attendance; (3) has received a high school diploma or certificate of attendance; or (4) has passed the test of general educational development.

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

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

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

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

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

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

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

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

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

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



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

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

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

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

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

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

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

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

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

(k) The total number of persons employed by each school district in this State, including without limitation, each charter school in the district. Each such person must be reported as either an administrator, a teacher or other staff and must not be reported in more than one category. In addition to the total number of persons employed by each school district in each category, the report must include the number of employees in each of the three categories



expressed as a percentage of the total number of persons employed by the school district. As used in this paragraph:

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

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

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

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

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

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

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

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

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

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

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

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

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



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

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

(I) 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.

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

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



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

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

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

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

(3) Withdraw from school to attend another school.

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

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

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

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

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

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

(dd) The number of habitual truants *reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, including, without limitation, the number* who are ~~reported~~ :

(1) *Reported* to a school police officer or local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 ~~and the number of habitual truants who are referred~~ ;

(2) *Referred* to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of



1 NRS 392.144 ~~1, reported for each school district, including, without~~
2 ~~limitation, each charter school in the district, and for this State as a~~
3 ~~whole.1 ; and~~

4 *(3) Referred for the imposition of administrative sanctions*
5 *pursuant to paragraph (c) of subsection 2 of NRS 392.144.*

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

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

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

20 (ff) An identification of appropriations made by the Legislature
21 to improve the academic achievement of pupils and programs
22 approved by the Legislature to improve the academic achievement
23 of pupils.

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

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

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

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

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

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

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

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



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

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

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

14 3. The annual report of accountability must:

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

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

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

21 4. On or before October 15 of each year, the State Board shall:

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

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

28 (1) Governor;

29 (2) Committee;

30 (3) Bureau;

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

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

33 (6) Governing body of each charter school.

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

38 6. As used in this section:

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

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

42 (c) "Harassment" has the meaning ascribed to it in
43 NRS 388.125.

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



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

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

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

385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools sponsored by the school district. The board of trustees of each school district shall report the information required by subsection 2 for each charter school sponsored by the school district. The information for charter schools must be reported separately.

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

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

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

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

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

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

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

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

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

39 (e) The total number of persons employed by the school district,
40 including without limitation, each charter school sponsored by the
41 district. Each such person must be reported as either an
42 administrator, a teacher or other staff and must not be reported in
43 more than one category. In addition to the total number of persons
44 employed by the school district in each category, the report must
45 include the number of employees in each of the three categories



1 expressed as a percentage of the total number of persons employed
2 by the school district. As used in this paragraph, "administrator,"
3 "other staff" and "teacher" have the meanings ascribed to them in
4 paragraph (d).

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

9 (1) The percentage of teachers who are:

10 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

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

34 (II) The number of persons employed as substitute
35 teachers for less than 20 consecutive days, designated as short-term
36 substitute teachers, including the total number of days short-term
37 substitute teachers were employed at each school, identified by
38 grade level and subject area; and

39 (5) For each elementary school:

40 (I) The number of persons employed as substitute
41 teachers for 20 consecutive days or more in the same classroom or
42 assignment, designated as long-term substitute teachers, including
43 the total number of days long-term substitute teachers were
44 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) Any special programs for pupils at an individual school; and

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

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

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

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

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

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

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

(3) Withdraw from school to attend another school.



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

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

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

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

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

(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:



* S B 2 6 9 *

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

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

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

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

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

(2) An adult diploma.

(3) An adjusted diploma.

(4) A certificate of attendance.

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

(y) The number of habitual truants *reported for each school in the district, and for the district as a whole, including, without limitation, the number* who are ~~reported~~ :

(1) *Reported* to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 ~~and the number of habitual truants who are referred~~ ;

(2) *Referred* to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144 ~~for each school in the district and for the district as a whole~~ ; and

(3) *Referred for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2 of NRS 392.144.*

(z) The amount and sources of money received for the training and professional development of teachers and other educational



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

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

9 (bb) Information on whether each public school in the district,
10 including, without limitation, each charter school sponsored by the
11 district, has made adequate yearly progress, including, without
12 limitation:

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

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

20 (cc) Information on the paraprofessionals employed by each
21 public school in the district, including, without limitation, each
22 charter school sponsored by the district. The information must
23 include:

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

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

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

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

44 (ff) For each school in the district and the district as a whole,
45 including, without limitation, each charter school sponsored by the



1 district, information on pupils enrolled in career and technical
2 education, including, without limitation:

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

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

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

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

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

16 (6) The number and percentage of pupils who completed a
17 program of career and technical education and who did not receive a
18 high school diploma because the pupils failed to pass the high
19 school proficiency examination.

20 (gg) The number of incidents resulting in suspension or
21 expulsion for bullying, cyber-bullying, harassment or intimidation,
22 for each school in the district and the district as a whole, including,
23 without limitation, each charter school sponsored by the district.

24 (hh) Such other information as is directed by the Superintendent
25 of Public Instruction.

26 3. The State Public Charter School Authority and each college
27 or university within the Nevada System of Higher Education that
28 sponsors a charter school shall, on or before September 30 of each
29 year, prepare an annual report of accountability of the charter
30 schools sponsored by the State Public Charter School Authority or
31 institution, as applicable, concerning the accountability information
32 prescribed by the Department pursuant to this section. The
33 Department, in consultation with the State Public Charter School
34 Authority and each college or university within the Nevada System
35 of Higher Education that sponsors a charter school, shall prescribe
36 by regulation the information that must be prepared by the State
37 Public Charter School Authority and institution, as applicable,
38 which must include, without limitation, the information contained in
39 paragraphs (a) to (hh), inclusive, of subsection 2, as applicable to
40 charter schools. The Department shall provide for public
41 dissemination of the annual report of accountability prepared
42 pursuant to this section in the manner set forth in 20 U.S.C. §
43 6311(h)(2)(E) by posting a copy of the report on the Internet website
44 maintained by the Department.



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

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

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

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

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

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

6. The Superintendent of Public Instruction shall:

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

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

(c) Consult with a representative of the:

(1) Nevada State Education Association;

(2) Nevada Association of School Boards;

(3) Nevada Association of School Administrators;

(4) Nevada Parent Teacher Association;

(5) Budget Division of the Department of Administration;

(6) Legislative Counsel Bureau; and

(7) Charter School Association of Nevada,

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

7. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent



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

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

5 (a) The board of trustees of each school district shall submit to
6 each advisory board to review school attendance created in the
7 county pursuant to NRS 392.126 the information required in
8 paragraph (i) of subsection 2.

9 (b) The State Public Charter School Authority and each college
10 or university within the Nevada System of Higher Education that
11 sponsors a charter school shall submit to each advisory board to
12 review school attendance created in a county pursuant to NRS
13 392.126 the information regarding the records of the attendance and
14 truancy of pupils enrolled in the charter school located in that
15 county, if any, in accordance with the regulations prescribed by the
16 Department pursuant to subsection 3.

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

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

- 27 (1) Governor;
28 (2) State Board;
29 (3) Department;
30 (4) Committee; and
31 (5) Bureau.

32 (b) The board of trustees of each school district, the State Public
33 Charter School Authority and each college or university within the
34 Nevada System of Higher Education that sponsors a charter school
35 shall provide for public dissemination of the annual report of
36 accountability prepared pursuant to subsection 2 or 3, as applicable,
37 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a
38 copy of the report on the Internet website maintained by the school
39 district, the State Public Charter School Authority or the institution,
40 if any. If a school district does not maintain a website, the district
41 shall otherwise provide for public dissemination of the annual report
42 by providing a copy of the report to the schools in the school
43 district, including, without limitation, each charter school sponsored
44 by the district, the residents of the district, and the parents and
45 guardians of pupils enrolled in schools in the district, including,



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

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

15 11. As used in this section:

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

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

19 (c) "Harassment" has the meaning ascribed to it in
20 NRS 388.125.

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

23 (e) "Intimidation" has the meaning ascribed to it in
24 NRS 388.129.

25 (f) "Paraprofessional" has the meaning ascribed to it in
26 NRS 391.008.

27 **Sec. 3.** Chapter 392 of NRS is hereby amended by adding
28 thereto the provisions set forth as sections 4 and 5 of this act.

29 **Sec. 4. 1. *The principal of a public school shall, upon***
30 ***written request by a pupil who is between the ages of 14 and 18***
31 ***years and who is enrolled in the school, provide the pupil a written***
32 ***statement signed by the principal verifying that the pupil has:***

33 ***(a) Complied with the minimum attendance requirements***
34 ***established by the board of trustees of the school district pursuant***
35 ***to NRS 392.122; and***

36 ***(b) Maintained passing grades, as prescribed by the board of***
37 ***trustees of the school district in which the pupil is enrolled.***

38 **2. *The principal of a public school shall not provide a written***
39 ***statement pursuant to subsection 1 unless the pupil satisfies the***
40 ***requirements of both paragraphs (a) and (b) of that subsection.***

41 **3. *The written statement provided to the pupil pursuant to***
42 ***subsection 1 may be used for the purposes of submitting materials***
43 ***that must accompany an application for a driver's license***
44 ***pursuant to NRS 483.2521 or an application for a restricted***
45 ***license pursuant to NRS 483.267 and 483.270.***



1 4. *The board of trustees of each school district shall prescribe*
2 *a standard form for use by the principals employed by the school*
3 *district pursuant to this section.*

4 **Sec. 5.** 1. *Upon receipt of a report pursuant to NRS*
5 *392.144 or 392.147, if it appears after investigation and a hearing*
6 *that a pupil is a habitual truant, a school police officer or a person*
7 *designated pursuant to subsection 7 may issue an order imposing*
8 *the following administrative sanctions against a pupil:*

9 (a) *If it is the first time that administrative sanctions have been*
10 *issued pursuant to this section because the pupil is a habitual*
11 *truant, and the pupil is 14 years of age or older, order the*
12 *suspension of the driver's license of the pupil for at least 30 days*
13 *but not more than 6 months. If the pupil does not possess a*
14 *driver's license, the order must provide that the pupil is prohibited*
15 *from applying for a driver's license for 30 days:*

16 (1) *Immediately following the date of the order if the pupil*
17 *is eligible to apply for a driver's license; or*

18 (2) *After the date the pupil becomes eligible to apply for a*
19 *driver's license if the pupil is not eligible to apply for a driver's*
20 *license.*

21 (b) *If it is the second time or any subsequent time that*
22 *administrative sanctions have been issued pursuant to this section*
23 *because the pupil is a habitual truant, and the pupil is 14 years of*
24 *age or older, order the suspension of the driver's license of the*
25 *pupil for at least 60 days but not more than 1 year. If the pupil*
26 *does not possess a driver's license, the order must provide that the*
27 *pupil is prohibited from applying for a driver's license for 60 days*
28 *immediately following:*

29 (1) *The date of the order if the pupil is eligible to apply for*
30 *a driver's license; or*

31 (2) *The date the pupil becomes eligible to apply for a*
32 *driver's license if the pupil is not eligible to apply for a driver's*
33 *license.*

34 2. *If a pupil applies for a driver's license, the Department of*
35 *Motor Vehicles shall:*

36 (a) *Notify the pupil of the provisions of this section that*
37 *authorize the suspension of the driver's license of the pupil; and*

38 (b) *Require the pupil to sign an affidavit acknowledging that*
39 *the pupil is aware that his or her driver's license may be*
40 *suspended pursuant to this section.*

41 3. *If an order is issued pursuant to this section delaying the*
42 *ability of the pupil to receive a driver's license, a copy of the order*
43 *must be forwarded to the Department of Motor Vehicles not later*
44 *than 5 days after the order is issued.*



1 4. *If an order is issued pursuant to this section suspending*
2 *the driver's license of a pupil:*

3 (a) *The pupil shall surrender his or her driver's license to the*
4 *school police officer or the person designated pursuant to*
5 *subsection 7.*

6 (b) *Not later than 5 days after issuing the order, the school*
7 *police officer or the designated person shall forward to the*
8 *Department of Motor Vehicles a copy of the order and the driver's*
9 *license of the pupil.*

10 (c) *The Department of Motor Vehicles:*

11 (1) *Shall report the suspension of the driver's license of the*
12 *pupil to an insurance company or its agent inquiring about the*
13 *pupil's driving record, but such a suspension must not be*
14 *considered for the purpose of rating or underwriting.*

15 (2) *Shall not treat the suspension in the manner statutorily*
16 *required for moving traffic violations.*

17 (3) *Shall not require the pupil to submit to the tests and*
18 *other requirements which are adopted by regulation pursuant to*
19 *subsection 1 of NRS 483.495 as a condition of reinstatement or*
20 *reissuance after the suspension of a driver's license.*

21 5. *The parent or legal guardian of a pupil may request a*
22 *hearing before the principal of the school in which the pupil is*
23 *enrolled or the principal's designee to appeal the imposition of any*
24 *administrative sanctions pursuant to this section. The principal or*
25 *the principal's designee shall, not later than 30 days after receipt*
26 *of the request, hold a hearing to review the reason for the*
27 *imposition of any administrative sanctions. Not later than 30 days*
28 *after the hearing, the principal shall issue a written decision*
29 *affirming, denying or modifying the decision to impose*
30 *administrative sanctions and mail a copy of the decision to the*
31 *parent or legal guardian of the pupil.*

32 6. *The parent or legal guardian of a pupil is entitled to*
33 *judicial review in district court of the decision to impose*
34 *administrative sanctions pursuant to this section in the same*
35 *manner that final decisions of state agencies are reviewed*
36 *pursuant to chapter 233B of NRS.*

37 7. *If a public school does not have a school police officer*
38 *assigned to it, the principal of the school may designate a qualified*
39 *person to carry out the requirements of this section.*

40 **Sec. 6.** NRS 392.141 is hereby amended to read as follows:

41 392.141 The provisions of NRS 392.144, 392.146 and 392.147
42 *and section 5 of this act* apply to all pupils who are required to
43 attend school pursuant to NRS 392.040.



1 **Sec. 7.** NRS 392.144 is hereby amended to read as follows:

2 392.144 1. If a pupil has one or more unapproved absences
3 from school, the school in which the pupil is enrolled shall take
4 reasonable actions designed, as applicable, to encourage, enable or
5 convince the pupil to attend school.

6 2. If a pupil is a habitual truant pursuant to NRS 392.140, the
7 principal of the school shall:

8 (a) Report the pupil to a school police officer or to the local law
9 enforcement agency for investigation and issuance of a citation, if
10 warranted, in accordance with NRS 392.149; ~~for~~

11 (b) If the parent or legal guardian of a pupil has signed a written
12 consent pursuant to subsection 4, submit a written referral of the
13 pupil to the advisory board to review school attendance in the
14 county in accordance with NRS 392.146 ~~for~~; or

15 (c) *Refer the pupil for the imposition of administrative*
16 *sanctions in accordance with section 5 of this act.*

17 3. The board of trustees of each school district shall adopt
18 criteria to determine whether the principal of a school shall ~~report~~:

19 (a) *Report* a pupil to a school police officer or law enforcement
20 agency pursuant to paragraph (a) of subsection 2 ~~for refer~~;

21 (b) *Refer* a pupil to an advisory board to review school
22 attendance pursuant to paragraph (b) of subsection 2 ~~for~~; or

23 (c) *Refer a pupil for the imposition of administrative sanctions*
24 *pursuant to paragraph (c) of subsection 2.*

25 4. If the principal of a school makes an initial determination to
26 submit a written referral of a pupil to the advisory board to review
27 school attendance, the principal shall notify the parent or legal
28 guardian of the pupil and request the parent or legal guardian to sign
29 a written consent that authorizes the school and, if applicable, the
30 school district to release the records of the pupil to the advisory
31 board to the extent that such release is necessary for the advisory
32 board to carry out its duties pursuant to NRS 392.146 and 392.147.
33 The written consent must comply with the applicable requirements
34 of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99. If the parent or legal
35 guardian refuses to sign the consent, the principal shall ~~report~~:

36 (a) *Report* the pupil to a school police officer or to a local law
37 enforcement agency pursuant to paragraph (a) of subsection 2 ~~for~~;
38 or

39 (b) *Refer the pupil for the imposition of administrative*
40 *sanctions pursuant to paragraph (c) of subsection 2.*

41 **Sec. 8.** NRS 392.147 is hereby amended to read as follows:

42 392.147 1. If an advisory board to review school attendance
43 receives a written referral of a pupil pursuant to NRS 392.146, the
44 advisory board shall set a date, time and place for a hearing. The
45 pupil and the pupil's parents or legal guardian shall attend the



1 hearing held by the advisory board. The hearing must be closed to
2 the public. The chair of an advisory board to review school
3 attendance may request that subpoenas for a hearing conducted
4 pursuant to this section be issued to:

5 (a) The parent or legal guardian of a pupil who has been referred
6 to the advisory board or any other person that the advisory board
7 considers necessary to the hearing.

8 (b) A pupil who has been referred to the advisory board.

9 2. If a pupil and the pupil's parents or legal guardian do not
10 attend the hearing, the chair of the advisory board shall ~~report~~ :

11 *(a) Report* the pupil to a school police officer or to the
12 appropriate local law enforcement agency for investigation and
13 issuance of a citation, if warranted in accordance with NRS 392.149
14 ~~H~~; or

15 *(b) Refer the pupil for the imposition of administrative*
16 *sanctions in accordance with section 5 of this act.*

17 3. If an advisory board to review school attendance determines
18 that the status of a pupil as a habitual truant can be adequately
19 addressed through participation by the pupil in programs and
20 services available in the community, the advisory board shall order
21 the pupil to participate in such programs and services. If the pupil
22 does not agree to participate in such programs and services, the
23 chair of the advisory board shall report the pupil to a school police
24 officer or to the appropriate local law enforcement agency for
25 investigation and issuance of a citation, if warranted in accordance
26 with NRS 392.149 ~~H~~ , or refer the pupil for the imposition of
27 *administrative sanctions in accordance with section 5 of this act.* If
28 the pupil agrees to participate in such programs and services, the
29 advisory board, the pupil and the parents or legal guardian of the
30 pupil shall enter into a written agreement that:

31 (a) Sets forth the findings of the advisory board;

32 (b) Sets forth the terms and conditions of the pupil's
33 participation in the programs and services designated by the
34 advisory board; and

35 (c) Adequately informs the pupil and the pupil's parents or legal
36 guardian that if the pupil or his or her parents or legal guardian do
37 not comply with the terms of the written agreement, the chair of the
38 advisory board is legally obligated to report the pupil to a school
39 police officer or to the appropriate local law enforcement agency for
40 investigation and issuance of a citation, if warranted in accordance
41 with NRS 392.149 ~~H~~ , or refer the pupil for the imposition of
42 *administrative sanctions in accordance with section 5 of this act.*

43 ➤ The parents or legal guardian of the pupil shall, upon the request
44 of the advisory board, provide proof satisfactory to the advisory



board that the pupil is participating in the programs and services set forth in the written agreement.

4. The chair of an advisory board to review school attendance shall report a pupil to a school police officer or to the appropriate local law enforcement agency *or refer the pupil for the imposition of administrative sanctions in accordance with section 5 of this act* if:

(a) The pupil and the pupil's parents or legal guardian fail to attend a hearing set by the advisory board pursuant to subsection 1;

(b) The advisory board determines that the status of a pupil as a habitual truant cannot be adequately addressed by requiring the pupil to participate in programs and services available in the community;

(c) The pupil does not consent to participation in programs and services pursuant to subsection 3; or

(d) The pupil or the pupil's parents or legal guardian violates the terms of the written agreement entered into pursuant to subsection 3.

5. If the chair of an advisory board makes ~~such~~ a report to a school police officer or local law enforcement agency ~~it~~ *pursuant to subsection 4*, the chair shall:

(a) Submit to the school police officer or law enforcement agency, as applicable, written documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and

(b) Make recommendations to the school police officer or law enforcement agency, as applicable, regarding the appropriate disposition of the case.

6. *If the chair of an advisory board refers a pupil for the imposition of administrative sanctions pursuant to subsection 4, the chair shall:*

(a) Provide written documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and

(b) Make recommendations regarding the appropriate disposition of the case.

7. If the parents or legal guardian of a pupil enter into a written agreement pursuant to this section, the parents or legal guardian may appeal to the board of trustees of the school district a determination made by the advisory board concerning the contents of the written agreement. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

~~7.1~~ 8. The board of trustees of each school district shall adopt policies and rules to protect the confidentiality of the deliberations, findings and determinations made by an advisory board and



1 information concerning a pupil and the family of a pupil. An
2 advisory board shall not disclose information concerning the records
3 of a pupil or services provided to a pupil or the pupil's family unless
4 the disclosure is specifically authorized by statute or by the policies
5 and rules of the board of trustees and is necessary for the advisory
6 board to carry out its duties.

7 **Sec. 9.** NRS 62B.320 is hereby amended to read as follows:

8 62B.320 1. Except as otherwise provided in this title, the
9 juvenile court has exclusive original jurisdiction in proceedings
10 concerning any child living or found within the county who is
11 alleged or adjudicated to be in need of supervision because the
12 child:

13 (a) Is subject to compulsory school attendance and is a habitual
14 truant from school;

15 (b) Habitually disobeys the reasonable and lawful demands of
16 the parent or guardian of the child and is unmanageable;

17 (c) Deserts, abandons or runs away from the home or usual
18 place of abode of the child and is in need of care or rehabilitation;
19 or

20 (d) Uses an electronic communication device to transmit or
21 distribute a sexual image of himself or herself to another person or
22 to possess a sexual image in violation of NRS 200.737.

23 2. A child who is subject to the jurisdiction of the juvenile
24 court pursuant to this section must not be considered a delinquent
25 child.

26 3. *The provisions of subsection 1 do not prohibit the*
27 *imposition of administrative sanctions pursuant to section 5 of this*
28 *act against a child who is subject to compulsory school attendance*
29 *and is a habitual truant from school.*

30 4. As used in this section:

31 (a) "Electronic communication device" has the meaning
32 ascribed to it in NRS 200.737.

33 (b) "Sexual image" has the meaning ascribed to it in
34 NRS 200.737.

35 **Sec. 10.** NRS 483.250 is hereby amended to read as follows:

36 483.250 The Department shall not issue any license pursuant to
37 the provisions of NRS 483.010 to 483.630, inclusive:

38 1. To any person who is under the age of 18 years, except that
39 the Department may issue:

40 (a) A restricted license to a person between the ages of 14 and
41 18 years pursuant to the provisions of NRS 483.267 and 483.270.

42 (b) An instruction permit to a person who is at least 15 1/2 years
43 of age pursuant to the provisions of subsection 1 of NRS 483.280.

44 (c) A restricted instruction permit to a person under the age of
45 18 years pursuant to the provisions of subsection 3 of NRS 483.280.



(d) A driver's license to a person who is 16 or 17 years of age pursuant to NRS 483.2521.

2. To any person whose license has been revoked until the expiration of the period during which the person is not eligible for a license.

3. To any person whose license has been suspended, but upon good cause shown to the Administrator, the Department may issue a restricted license to the person or shorten any period of suspension.

4. To any person who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who has not at the time of application been restored to legal capacity.

5. To any person who is required by NRS 483.010 to 483.630, inclusive, to take an examination, unless the person has successfully passed the examination.

6. To any person when the Administrator has good cause to believe that by reason of physical or mental disability that person would not be able to operate a motor vehicle safely.

7. To any person who is not a resident of this State.

8. To any child who is the subject of a court order issued pursuant to title 5 of NRS *or administrative sanctions imposed pursuant to section 5 of this act* which ~~delays~~ *delay* the child's privilege to drive.

9. To any person who is the subject of a court order issued pursuant to NRS 206.330 which delays the person's privilege to drive until the expiration of the period of delay.

10. To any person who is not eligible for the issuance of a license pursuant to NRS 483.283.

Sec. 11. NRS 483.2521 is hereby amended to read as follows:

483.2521 1. The Department may issue a driver's license to a person who is 16 or 17 years of age if the person:

(a) Except as otherwise provided in subsection 2, has completed:

(1) A course in automobile driver education pursuant to NRS 389.090; or

(2) A course provided by a school for training drivers which is licensed pursuant to NRS 483.700 to 483.780, inclusive, and which complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board of Education pursuant to NRS 389.090;

(b) Has at least 50 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least 10 hours of experience in driving a motor vehicle during darkness;



(c) Submits to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section and which is signed:

(1) By his or her parent or legal guardian; or

(2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor,

↳ who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b);

(d) *Submits to the Department:*

(1) A written statement signed by the principal of the public school in which the person is enrolled and which is provided to the person pursuant to section 4 of this act;

(2) A written statement signed by the parent or legal guardian of the person which states that the person is excused from compulsory attendance pursuant to NRS 392.070;

(3) A copy of the person's high school diploma or certificate of attendance; or

(4) A copy of the person's certificate of general educational development;

(e) Has not been found to be responsible for a motor vehicle accident during the 6 months before applying for the driver's license;

~~H(+) (f)~~ (f) Has not been convicted of a moving traffic violation or a crime involving alcohol or a controlled substance during the 6 months before applying for the driver's license; and

~~H(+) (g)~~ (g) Has held an instruction permit for not less than 6 months before applying for the driver's license.

2. If a course described in paragraph (a) of subsection 1 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing such a course as required by that paragraph, complete an additional 50 hours of supervised experience in driving a motor vehicle in accordance with paragraph (b) of subsection 1.

Sec. 12. NRS 483.267 is hereby amended to read as follows:

483.267 1. The Department may issue a restricted license to any applicant between the ages of 14 and 18 years which entitles the applicant to drive a motor vehicle upon a highway if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle, and a hardship exists which requires the applicant to drive.

2. An application for a restricted license under this section must:



* S B 2 6 9 *

- 1 (a) Be made upon a form provided by the Department.
- 2 (b) Contain a statement that a person living in the same
- 3 household with the applicant suffers from a medical condition which
- 4 renders that person unable to operate a motor vehicle and explaining
- 5 the need for the applicant to drive.
- 6 (c) Be signed and verified as provided in NRS 483.300.
- 7 (d) *Include:*
- 8 (1) *A written statement signed by the principal of the public*
- 9 *school in which the applicant is enrolled and which is provided to*
- 10 *the applicant pursuant to section 4 of this act;*
- 11 (2) *A written statement signed by the parent or legal*
- 12 *guardian of the applicant which states that the applicant*
- 13 *is excused from compulsory school attendance pursuant to*
- 14 *NRS 392.070;*
- 15 (3) *A copy of the applicant's high school diploma or*
- 16 *certificate of attendance; or*
- 17 (4) *A copy of the applicant's certificate of general*
- 18 *educational development.*
- 19 (e) Contain such other information as may be required by the
- 20 Department.
- 21 3. A restricted license issued pursuant to this section:
- 22 (a) Is effective for the period specified by the Department;
- 23 (b) Authorizes the licensee to operate a motor vehicle on a street
- 24 or highway only under conditions specified by the Department; and
- 25 (c) May contain other restrictions which the Department deems
- 26 necessary.
- 27 4. No license may be issued under this section until the
- 28 Department is satisfied fully as to the applicant's competency and
- 29 fitness to drive a motor vehicle.
- 30 **Sec. 13.** NRS 483.270 is hereby amended to read as follows:
- 31 483.270 1. The Department may issue a restricted license to
- 32 any pupil between the ages of 14 and 18 years who is attending:
- 33 (a) A public school in a school district in this State in a county
- 34 whose population is less than 55,000 or in a city or town whose
- 35 population is less than 25,000 when transportation to and from
- 36 school is not provided by the board of trustees of the school district,
- 37 if the pupil meets the requirements for eligibility adopted by the
- 38 Department pursuant to subsection 5; or
- 39 (b) A private school meeting the requirements for approval
- 40 under NRS 392.070 when transportation to and from school is not
- 41 provided by the private school,
- 42 ➤ and it is impossible or impracticable to furnish such pupil with
- 43 private transportation to and from school.
- 44 2. An application for the issuance of a restricted license under
- 45 this section must:



- (a) Be made upon a form provided by the Department.
- (b) Be signed and verified as provided in NRS 483.300.
- (c) *Include a written statement signed by the:*

(1) Principal of the public school in which the pupil is enrolled and which is provided to the applicant pursuant to section 4 of this act; or

(2) Parent or legal guardian of the pupil which states that the pupil is excused from compulsory school attendance pursuant to NRS 392.070.

(d) Contain such other information as may be required by the Department.

3. Any restricted license issued pursuant to this section:

(a) Is effective only for the school year during which it is issued or for a more restricted period.

(b) Authorizes the licensee to drive a motor vehicle on a street or highway only while going to and from school, and at a speed not in excess of the speed limit set by law for school buses.

(c) May contain such other restrictions as the Department may deem necessary and proper.

(d) May authorize the licensee to transport as passengers in a motor vehicle driven by the licensee, only while the licensee is going to and from school, members of his or her immediate family, or other minor persons upon written consent of the parents or guardians of such minors, but in no event may the number of passengers so transported at any time exceed the number of passengers for which the vehicle was designed.

4. No restricted license may be issued under the provisions of this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.

5. The Department shall adopt regulations that set forth the requirements for eligibility of a pupil to receive a restricted license pursuant to paragraph (a) of subsection 1.

Sec. 14. NRS 483.460 is hereby amended to read as follows:

483.460 1. Except as otherwise provided by specific statute, the Department shall revoke the license, permit or privilege of any driver upon receiving a record of his or her conviction of any of the following offenses, when that conviction has become final, and the driver is not eligible for a license, permit or privilege to drive for the period indicated:

(a) For a period of 3 years if the offense is:

(1) A violation of subsection 6 of NRS 484B.653.

(2) A third or subsequent violation within 7 years of NRS 484C.110 or 484C.120.

(3) A violation of NRS 484C.110 or 484C.120 resulting in a felony conviction pursuant to NRS 484C.400 or 484C.410.



(4) A violation of NRS 484C.430 or a homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430.

➤ The period during which such a driver is not eligible for a license, permit or privilege to drive must be set aside during any period of imprisonment and the period of revocation must resume when the Department is notified pursuant to NRS 209.517 or 213.12185 that the person has completed the period of imprisonment or that the person has been placed on residential confinement or parole.

(b) For a period of 1 year if the offense is:

(1) Any other manslaughter, including vehicular manslaughter as described in NRS 484B.657, resulting from the driving of a motor vehicle or felony in the commission of which a motor vehicle is used, including the unlawful taking of a motor vehicle.

(2) Failure to stop and render aid as required pursuant to the laws of this State in the event of a motor vehicle accident resulting in the death or bodily injury of another.

(3) Perjury or the making of a false affidavit or statement under oath to the Department pursuant to NRS 483.010 to 483.630, inclusive, or pursuant to any other law relating to the ownership or driving of motor vehicles.

(4) Conviction, or forfeiture of bail not vacated, upon three charges of reckless driving committed within a period of 12 months.

(5) A second violation within 7 years of NRS 484C.110 or 484C.120 and the driver is not eligible for a restricted license during any of that period.

(6) A violation of NRS 484B.550.

(c) For a period of 90 days, if the offense is a first violation within 7 years of NRS 484C.110 or 484C.120.

2. The Department shall revoke the license, permit or privilege of a driver convicted of violating NRS 484C.110 or 484C.120 who fails to complete the educational course on the use of alcohol and controlled substances within the time ordered by the court and shall add a period of 90 days during which the driver is not eligible for a license, permit or privilege to drive.

3. When the Department is notified by a court that a person who has been convicted of a first violation within 7 years of NRS 484C.110 has been permitted to enter a program of treatment pursuant to NRS 484C.320, the Department shall reduce by one-half the period during which the person is not eligible for a license, permit or privilege to drive, but shall restore that reduction in time if



1 notified that the person was not accepted for or failed to complete
2 the treatment.

3 4. The Department shall revoke the license, permit or privilege
4 to drive of a person who is required to install a device pursuant to
5 NRS 484C.460 but who operates a motor vehicle without such a
6 device:

7 (a) For 3 years, if it is his or her first such offense during the
8 period of required use of the device.

9 (b) For 5 years, if it is his or her second such offense during the
10 period of required use of the device.

11 5. A driver whose license, permit or privilege is revoked
12 pursuant to subsection 4 is not eligible for a restricted license during
13 the period set forth in paragraph (a) or (b) of that subsection,
14 whichever applies.

15 6. In addition to any other requirements set forth by specific
16 statute, if the Department is notified that a court has ordered the
17 revocation, suspension or delay in the issuance of a license pursuant
18 to title 5 of NRS, NRS 176.064 or 206.330, chapters 484A to 484E,
19 inclusive, of NRS , *section 5 of this act* or any other provision of
20 law, the Department shall take such actions as are necessary to carry
21 out the court's order.

22 7. As used in this section, "device" has the meaning ascribed to
23 it in NRS 484C.450.

24 **Sec. 15.** NRS 483.490 is hereby amended to read as follows:

25 483.490 1. Except as otherwise provided in this section, after
26 a driver's license has been suspended or revoked for an offense
27 other than a second violation within 7 years of NRS 484C.110, and
28 one-half of the period during which the driver is not eligible for a
29 license has expired, the Department may, unless the statute
30 authorizing the suspension prohibits the issuance of a restricted
31 license, issue a restricted driver's license to an applicant permitting
32 the applicant to drive a motor vehicle:

33 (a) To and from work or in the course of his or her work, or
34 both; or

35 (b) To acquire supplies of medicine or food or receive regularly
36 scheduled medical care for himself, herself or a member of his or
37 her immediate family.

38 ➤ Before a restricted license may be issued, the applicant must
39 submit sufficient documentary evidence to satisfy the Department
40 that a severe hardship exists because the applicant has no alternative
41 means of transportation and that the severe hardship outweighs the
42 risk to the public if the applicant is issued a restricted license.

43 2. A person who has been ordered to install a device in a motor
44 vehicle pursuant to NRS 484C.460:



(a) Shall install the device not later than 21 days after the date on which the order was issued; and

(b) May not receive a restricted license pursuant to this section until:

(1) After at least 1 year of the period during which the person is not eligible for a license, if the person was convicted of:

(I) A violation of NRS 484C.430 or a homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or

(II) A violation of NRS 484C.110 that is punishable as a felony pursuant to NRS 484C.410 or 484C.420;

(2) After at least 180 days of the period during which the person is not eligible for a license, if the person was convicted of a violation of subsection 6 of NRS 484B.653; or

(3) After at least 45 days of the period during which the person is not eligible for a license, if the person was convicted of a first violation within 7 years of NRS 484C.110.

3. If the Department has received a copy of an order requiring a person to install a device in a motor vehicle pursuant to NRS 484C.460, the Department shall not issue a restricted driver's license to such a person pursuant to this section unless the applicant has submitted proof of compliance with the order and subsection 2.

4. After a driver's license has been revoked or suspended pursuant to title 5 of NRS ~~H~~ *or section 5 of this act*, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

(a) If applicable, to and from work or in the course of his or her work, or both; or

(b) If applicable, to and from school.

5. After a driver's license has been suspended pursuant to NRS 483.443, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

(a) If applicable, to and from work or in the course of his or her work, or both;

(b) To receive regularly scheduled medical care for himself, herself or a member of his or her immediate family; or

(c) If applicable, as necessary to exercise a court-ordered right to visit a child.

6. A driver who violates a condition of a restricted license issued pursuant to subsection 1 or by another jurisdiction is guilty of a misdemeanor and, if the license of the driver was suspended or revoked for:

(a) A violation of NRS 484C.110, 484C.210 or 484C.430;



(b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or

(c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b),
→ the driver shall be punished in the manner provided pursuant to subsection 2 of NRS 483.560.

7. The periods of suspensions and revocations required pursuant to this chapter and NRS 484C.210 must run consecutively, except as otherwise provided in NRS 483.465 and 483.475, when the suspensions must run concurrently.

8. Whenever the Department suspends or revokes a license, the period of suspension, or of ineligibility for a license after the revocation, begins upon the effective date of the revocation or suspension as contained in the notice thereof.

Sec. 16. NRS 483.580 is hereby amended to read as follows:

483.580 A person shall not cause or knowingly permit his or her child or ward under the age of 18 years to drive a motor vehicle upon any highway when the minor is not authorized under the provisions of NRS 483.010 to 483.630, inclusive, or is in violation of any of the provisions of NRS 483.010 to 483.630, inclusive, or if the minor's license is revoked or suspended pursuant to title 5 of NRS ~~or~~ *or section 5 of this act.*

Sec. 17. This act becomes effective on July 1, 2013.

