

ASSEMBLY BILL NO. 107—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

PREFILED JANUARY 31, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to reports of accountability for public schools. (BDR 34-407)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 reports of accountability for public schools to include certain information regarding pupils who qualify for free or reduced-price lunches pursuant to federal law; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Education, the boards of trustees of school districts and the sponsors of charter schools to prepare annual reports of accountability that contain certain information regarding public schools and pupils enrolled in public schools. (NRS 385.347, 385.3572) **Section 1.2** of this bill requires the annual report of accountability prepared by each school district and the sponsor of each charter school to include: (1) the number and percentage of pupils who are eligible for free or reduced-price breakfasts pursuant to federal law; (2) the number and percentage of pupils who are eligible for free or reduced-price lunches pursuant to federal law; (3) the number and percentage of pupils who are eligible for free or reduced-price breakfasts and who receive free and reduced-price breakfasts; (4) the number and percentage of pupils who are eligible for free or reduced-price lunches and who receive free and reduced-price lunches; (5) a comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price breakfasts or lunches; and (6) a comparison of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price lunches.



21 who receive free and reduced-price lunches in certain areas for which data is
22 collected. **Section 1.2** also authorizes the State Board of Education to adopt any
23 regulations necessary to carry out the provisions of this bill. **Section 1.4** of this bill
24 requires the annual report of accountability prepared by the State Board to include
25 the same information for the State as a whole.

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

1 **Section 1.** Chapter 385 of NRS is hereby amended by adding
2 the provisions set forth as sections 1.2 and 1.4 of this act.

3 **Sec. 1.2. 1.** *The annual report of accountability prepared*
4 *pursuant to NRS 385.347 must include, for each school in the*
5 *district and the district as a whole, including, without limitation,*
6 *each charter school sponsored by the district, information*
7 *concerning pupils who are eligible for free or reduced-price*
8 *breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who*
9 *are eligible for free or reduced-price lunches pursuant to 42*
10 *U.S.C. §§ 1751 et seq., including, without limitation:*

11 (a) *The number and percentage of pupils who are eligible for*
12 *free or reduced-price breakfasts;*

13 (b) *The percentage of pupils who receive free and reduced-*
14 *price breakfasts;*

15 (c) *The number and percentage of pupils who are eligible for*
16 *free or reduced-price lunches;*

17 (d) *The percentage of pupils who receive free and reduced-*
18 *price lunches;*

19 (e) *A comparison of the achievement and proficiency of pupils,*
20 *reported separately by race and ethnicity, who are eligible for free*
21 *or reduced-price breakfasts, pupils who receive free and reduced-*
22 *price breakfasts, pupils who are eligible for free or reduced-price*
23 *lunches, pupils who receive free and reduced-price lunches and*
24 *pupils who are not eligible for free or reduced-price breakfasts or*
25 *lunches;*

26 (f) *A comparison of pupils, reported separately by race and*
27 *ethnicity, who are eligible for free or reduced-price breakfasts,*
28 *pupils who receive free and reduced-price breakfasts, pupils who*
29 *are eligible for free or reduced-price lunches and pupils who*
30 *receive free and reduced-price lunches for which data is required*
31 *to be collected in the following areas:*

32 (1) *Retention rates;*

33 (2) *Graduation rates;*

34 (3) *Dropout rates;*

35 (4) *Grade point averages; and*



(5) Scores on the examinations administered pursuant to NRS 389.550 and 389.805 and the college and career readiness assessment administered pursuant to NRS 389.807.

2. The State Board may adopt any regulations necessary to carry out the provisions of this section.

Sec. 1.4. The annual report of accountability prepared by the State Board pursuant to NRS 385.3572 must include for each school district, including, without limitation, each charter school in the district, and for this State as a whole, information concerning pupils who are eligible for free or reduced-price breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq., including, without limitation:

1. The number and percentage of pupils who are eligible for free or reduced-price breakfasts;

2. The number and percentage of pupils who receive free and reduced-price breakfasts;

3. The number and percentage of pupils who are eligible for free or reduced-price lunches;

4. The number and percentage of pupils who receive free and reduced-price lunches;

5. A comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price breakfasts or lunches;

6. A comparison of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches and pupils who receive free and reduced-price lunches for which data is required to be collected in the following areas:

(a) Retention rates;

(b) Graduation rates;

(c) Dropout rates;

(d) Grade point averages; and

(e) Scores on the examinations administered pursuant to NRS 389.550 and 389.805 and the college and career readiness assessment administered pursuant to NRS 389.807.

Sec. 2. NRS 385.3455 is hereby amended to read as follows:

385.3455 As used in NRS 385.3455 to 385.3891, inclusive, and sections 1.2 and 1.4 of this act, unless the context otherwise requires, the words and terms defined in NRS 385.346 to



385.34675, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. NRS 385.3468 is hereby amended to read as follows:

385.3468 The provisions of NRS 385.3455 to 385.3891, inclusive, *and sections 1.2 and 1.4 of this act* do not supersede, negate or otherwise limit the effect or application of the provisions of chapters 288 and 391 of NRS or the rights, remedies and procedures afforded to employees of a school district under the terms of collective bargaining agreements, memoranda of understanding or other such agreements between employees and their employers.

Sec. 4. 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 NRS 385.347 to 385.3495, inclusive, *and section 1.2 of this act* 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 a single annual report of accountability concerning the educational goals and objectives of the school district, the information prescribed by NRS 385.347 to 385.3495, inclusive, *and section 1.2 of this act*, and such other information as is directed by the Superintendent of Public Instruction. A separate reporting for a group of pupils must not be made pursuant to NRS 385.347 to 385.3495, inclusive, *and section 1.2 of this act*, 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 Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall, on or before September 30 of each year, prepare an annual report of accountability of the charter schools sponsored by the State Public Charter School Authority or



1 institution, as applicable, concerning the accountability information
2 prescribed by the Department pursuant to this section. The
3 Department, in consultation with the State Public Charter School
4 Authority and each college or university within the Nevada System
5 of Higher Education that sponsors a charter school, shall prescribe
6 by regulation the information that must be prepared by the State
7 Public Charter School Authority and institution, as applicable,
8 which must include, without limitation, the information contained in
9 subsection 2 and NRS 385.347 to 385.3495, inclusive, *and section*
10 *1.2 of this act*, as applicable to charter schools. The Department
11 shall provide for public dissemination of the annual report of
12 accountability prepared pursuant to this section by posting a copy of
13 the report on the Internet website maintained by the Department.

14 4. The annual report of accountability prepared pursuant to this
15 section must be presented in an understandable and uniform format
16 and, to the extent practicable, provided in a language that parents
17 can understand.

18 5. The Superintendent of Public Instruction shall:

19 (a) Prescribe forms for the reports required pursuant to this
20 section and provide the forms to the respective school districts, the
21 State Public Charter School Authority and each college or university
22 within the Nevada System of Higher Education that sponsors a
23 charter school.

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

31 (c) Consult with a representative of the:

- 32 (1) Nevada State Education Association;
33 (2) Nevada Association of School Boards;
34 (3) Nevada Association of School Administrators;
35 (4) Nevada Parent Teacher Association;
36 (5) Budget Division of the Department of Administration;
37 (6) Legislative Counsel Bureau; and
38 (7) Charter School Association of Nevada,

39 ↪ concerning the program and consider any advice or
40 recommendations submitted by the representatives with respect to
41 the program.

42 6. The Superintendent of Public Instruction may consult with
43 representatives of parent groups other than the Nevada Parent
44 Teacher Association concerning the program and consider any



advice or recommendations submitted by the representatives with respect to the program.

7. On or before September 30 of each year:

(a) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide written notice that the report required pursuant to this section is available on the Internet website maintained by the school district, State Public Charter School Authority or institution, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

(1) Governor;

(2) State Board;

(3) Department;

(4) Committee;

(5) Bureau; and

(6) The Attorney General, with a specific reference to the information that is reported pursuant to paragraph (e) of subsection 1 of NRS 385.3483.

(b) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of accountability prepared pursuant to this section by posting a copy of the report on the Internet website maintained by the school district, the State Public Charter School Authority or the institution, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school sponsored by the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school sponsored by the district. If the State Public Charter School Authority or the institution does not maintain a website, the State Public Charter School Authority or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.

8. Upon the request of the Governor, the Attorney General, an entity described in paragraph (a) of subsection 7 or a member of the general public, the board of trustees of a school district, the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school,



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1 as applicable, shall provide a portion or portions of the report
2 required pursuant to this section.

3 **Sec. 4.5.** NRS 385.3572 is hereby amended to read as follows:

4 385.3572 1. The State Board shall prepare a single annual
5 report of accountability that includes, without limitation the
6 information prescribed by NRS 385.3572 to 385.3592, inclusive **H**,
7 *and section 1.4 of this act.*

8 2. A separate reporting for a group of pupils must not be made
9 pursuant to this section and NRS 385.3572 to 385.3592, inclusive,
10 *and section 1.4 of this act*, if the number of pupils in that group is
11 insufficient to yield statistically reliable information or the results
12 would reveal personally identifiable information about an individual
13 pupil. The Department shall use the mechanism approved by the
14 United States Department of Education for the statewide system of
15 accountability for public schools for determining the minimum
16 number of pupils that must be in a group for that group to yield
17 statistically reliable information.

18 3. The annual report of accountability must:

19 (a) Be prepared in a concise manner; and

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

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

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

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

30 (1) Governor;

31 (2) Committee;

32 (3) Bureau;

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

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

35 (6) Governing body of each charter school; and

36 (7) The Attorney General, with a specific reference to the
37 information that is reported pursuant to paragraph (e) of subsection
38 1 of NRS 385.3584.

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

43 **Sec. 5.** This act becomes effective:



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- 1 1. On July 1, 2015, for the purpose of adopting regulations and
- 2 performing any other preparatory administrative tasks that are
- 3 necessary to carry out the provisions of this act; and
- 4 2. On January 1, 2016, for all other purposes.

