

Amendment No. 920

Senate Amendment to Senate Bill No. 132 First Reprint (BDR 34-47)

Proposed by: Senate Committee on Finance

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

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

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

AAK/BJE



Date: 5/25/2017

S.B. No. 132—Revises provisions relating to public high schools. (BDR 34-47)



SENATE BILL NO. 132—SENATOR HARRIS

PREFILED FEBRUARY 13, 2017

Referred to Committee on Education

SUMMARY—Revises provisions relating to public high schools. (BDR 34-47)

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

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

AN ACT relating to education; providing for the establishment of an individual graduation plan for certain pupils to allow them to remain in high school for an additional period to work towards graduation; requiring the Superintendent of Public Instruction to determine certain requirements for eligibility for such a plan; revising provisions relating to academic plans for high school pupils; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Education to prescribe the criteria for a pupil to receive a standard high school diploma. (NRS 390.600) **Section 1** of this bill requires the board of trustees of each school district and allows the governing body of a charter school that operates as a high school and is in good standing with its sponsor to adopt a policy to authorize the establishment of individual graduation plans for pupils enrolled in a high school within the school district or operated by the charter school, as applicable, who: (1) are not likely to graduate on time; ~~to~~ (2) have scored poorly on the college and career readiness assessment; ~~to~~ ; **or (3) have attended or will attend school in another country as a foreign exchange student for at least one semester.** **Section 1** requires the Superintendent of Public Instruction to establish certain requirements for eligibility for such a plan. **Section 1** further allows a pupil with an individual graduation plan to remain enrolled in high school for up to 3 semesters after the date on which he or she was otherwise scheduled to graduate. The school district or charter school, as applicable, may withdraw an individual graduation plan if the pupil is not making adequate progress as outlined in the plan or for other good cause. **Section 1** provides that a pupil for whom an individual graduation plan has been established must ~~not~~ be counted when calculating the graduation rates of pupils for the year in which the pupil was scheduled to graduate. ~~Instead, section 1 requires that the pupil be counted when calculating the graduation rates for the year in which the pupil is scheduled to graduate pursuant to the pupil's individual graduation plan.~~ **until the pupil obtains a standard high school diploma and then must be counted for the appropriate year as determined by the Department.** **Section 1** also requires a pupil with an individual graduation plan who receives below a prescribed score on the college and career readiness assessment to enroll in the maximum number of units of credit per semester allowed by the public school in which he or she is enrolled unless his or her individual graduation plan provides otherwise. **Finally, section 1 provides that a charter school shall be deemed to be in good standing if the charter school: (1) is carrying out an improvement plan approved by the sponsor of the charter school; or (2) operates as a high school, has a graduation rate that is more than**

60 percent and is not rated in the lowest 5 percent of high schools in the State in pupil achievement and performance as determined by the Department of Education.

Existing law requires the board of trustees of each school district to adopt a policy to develop a 4-year academic plan for pupils in high school. (NRS 388.205) **Section 2** of this bill requires each public school within the school district to provide each pupil with this plan at the beginning of the pupil's ninth grade year. **Section 2** also requires: (1) a school counselor to establish and annually revise specific educational goals for each pupil in consultation with the pupil's parent or legal guardian; and (2) the policies adopted by the board of trustees of each school district to ensure that each pupil and the pupil's parent or legal guardian are provided with certain information regarding postsecondary and vocational education.

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

Section 1. Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of each school district shall, and the governing body of each charter school that operates as a high school and is in good standing with its sponsor may, adopt a policy to authorize the establishment of individual graduation plans for pupils enrolled in a high school within the school district or operated by the charter school, as applicable, who:

(a) Are deficient in credits and not likely to graduate according to schedule;

~~for~~ (b) Have performed poorly on the college and career readiness assessment administered pursuant to NRS 390.610 ~~for~~; or

(c) Have attended or will attend school in another country as a foreign exchange student for at least one semester.

2. In addition to the conditions set forth in paragraphs (a), ~~for~~ (b) and (c) of subsection 1, the Superintendent of Public Instruction may establish other conditions for a pupil to be eligible for an individual graduation plan.

3. An individual graduation plan must establish an academic plan for a pupil to allow the pupil to graduate with a standard high school diploma not later than 3 semesters after the date on which the pupil was otherwise scheduled to graduate. The individual graduation plan must include any conditions to which a pupil must agree to comply to remain enrolled in the high school. Such conditions may include, without limitation, any subjects that must be completed, the minimum number of units of credit in which the pupil must enroll each semester, the minimum grade point average that must be maintained by the pupil and any other conditions necessary to ensure that the pupil makes adequate progress to obtain a standard high school diploma within the time allowed.

4. The Superintendent of Public Instruction shall make a determination each year concerning:

(a) The number of credits by which a pupil must be deficient to be eligible for an individual graduation plan;

(b) The maximum score on the college and career readiness assessment administered pursuant to NRS 390.610 that a pupil may receive to be eligible for an individual graduation plan; and

(c) Any other conditions that must be met for participation in an individual graduation plan.

5. An individual graduation plan may be withdrawn by the school district or charter school if the pupil is not making adequate progress as outlined in the individual graduation plan or for other good cause.

6. A pupil for whom an individual graduation plan has been established must ~~not~~ be counted when calculating the graduation rates of pupils in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to NRS 385A.070 and the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 for the year in which the pupil was scheduled to graduate ~~and~~ until the pupil obtains a standard high school diploma and then must be counted for the appropriate year as determined by the Department pursuant to subsection 8.

7. A pupil for whom an individual graduation plan has been established must not be counted when calculating the graduation rates of pupils used to determine whether the sponsor of a charter school may take certain actions concerning the charter school pursuant to NRS 388A.330.

~~7.7.~~ 8. If a pupil for whom an individual graduation plan has been established:

(a) Obtains a standard high school diploma within the time allowed by the individual graduation plan, the pupil must be counted as having received a standard high school diploma when calculating the graduation rates of pupils for the purposes of NRS 388A.330, if applicable, in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to NRS 385A.070 and the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 for the year in which the pupil graduates.

(b) Fails to obtain a standard high school diploma within the time allowed by the individual graduation plan, the pupil must be counted as having failed to receive a standard high school diploma when calculating the graduation rates of pupils for the purpose of NRS 388A.330, if applicable, in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to NRS 385A.070 and the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 for the year in which the pupil was scheduled to graduate pursuant to his or her individual graduation plan.

~~8.1.~~ 9. Any pupil for whom an individual graduation plan has been established who receives a score on the college and career readiness assessment that is less than the score prescribed by the Superintendent of Public Instruction pursuant to paragraph (b) of subsection 4 must, unless his or her individual graduation plan provides otherwise, enroll in the maximum number of units of credit per semester allowed by the public school in which the pupil is enrolled.

~~9. The State Board shall prescribe by regulation the standards and criteria to be used by the sponsor of a charter school to determine whether the~~

10. For the purposes of this section, a charter school ~~is~~ shall be deemed to be in good standing ~~for the purposes of this section.~~ if:

(a) The charter school is carrying out an improvement plan approved by the sponsor of the charter school; or

(b) The charter school:

(1) Operates as a high school;

(2) Has a graduation rate that is more than 60 percent; and

(3) Is not rated in the lowest 5 percent of high schools in this State in pupil achievement and school performance as determined by the Department pursuant to the statewide system of accountability for public schools.

Sec. 2. NRS 388.205 is hereby amended to read as follows:

388.205 1. The board of trustees of each school district shall adopt a policy for each public school in the school district in which ninth grade pupils are enrolled to develop a 4-year academic plan for each of those pupils. *Except as otherwise*

1 *provided in subsection 4, the policy must require each public school to provide*
2 *each pupil with an academic plan at the beginning of the pupil's ninth grade*
3 *year.* The academic plan must set forth the specific educational goals ~~that the~~
4 ~~pupil~~ *established pursuant to subsection 6 each year and the steps that the pupil*
5 *intends to take in order to achieve* ~~before graduation from high school.~~ *those*
6 *goals.* The plan may include, without limitation, the designation of a career
7 pathway and enrollment in dual credit courses, career and technical education
8 courses, advanced placement courses and honors courses.

9 2. The policy ~~may~~ *must* ensure that each pupil enrolled in ninth grade and
10 the pupil's parent or legal guardian are provided with, to the extent practicable, ~~the~~
11 ~~following~~ *information* ~~regarding:~~

12 (a) The advanced placement courses, honors courses, international
13 baccalaureate courses, dual credit courses, career and technical education courses,
14 including, without limitation, career and technical skills-building programs, and any
15 other educational programs, pathways or courses available to the pupil which will
16 assist the pupil in the advancement of his or her education;

17 (b) The requirements for graduation from high school with a diploma and the
18 types of diplomas available;

19 (c) The requirements for admission to the Nevada System of Higher Education
20 *, including, without limitation, the average score on the college and career*
21 *readiness assessment administered pursuant to NRS 390.610 of students admitted*
22 *to each community college, state college or university in the Nevada System of*
23 *Higher Education,* and the eligibility requirements for a Governor Guinn
24 Millennium Scholarship; ~~and~~

25 (d) *The Free Application for Federal Student Aid and advice concerning*
26 *how to finance enrollment in an institution that provides postsecondary and*
27 *vocational education; and*

28 (e) The charter schools within the school district.

29 3. The policy required by subsection 1 must require each pupil enrolled in
30 ninth grade and the pupil's parent or legal guardian to:

31 (a) Be notified of opportunities to work in consultation with a school counselor
32 to develop and review an academic plan for the pupil;

33 (b) Sign the academic plan; and

34 (c) Review the academic plan at least once each school year in consultation
35 with a school counselor and revise the plan if necessary.

36 4. If a pupil enrolls in a high school after ninth grade, an academic plan must
37 be developed for that pupil *as soon as reasonably practicable* with appropriate
38 modifications for the grade level of the pupil.

39 5. An academic plan for a pupil must be used as a guide for the pupil and the
40 parent or legal guardian of the pupil to plan, monitor and manage the pupil's
41 educational and occupational development and make determinations of the
42 appropriate courses of study for the pupil. If a pupil does not satisfy all the goals set
43 forth in the academic plan, the pupil is eligible to graduate and receive a high
44 school diploma if the pupil otherwise satisfies the requirements for a diploma.

45 6. *Except as otherwise provided in subsection 4, a school counselor shall*
46 *establish specific educational goals for each pupil in consultation with the pupil*
47 *and the parent or legal guardian of the pupil, to the extent practicable, at the*
48 *beginning of each pupil's ninth grade year and as a part of the review conducted*
49 *pursuant to paragraph (c) of subsection 3.*

50 **Sec. 3.** NRS 432B.580 is hereby amended to read as follows:

51 432B.580 1. Except as otherwise provided in this section and NRS
52 432B.513, if a child is placed pursuant to NRS 432B.550 other than with a parent,
53 the placement must be reviewed by the court at least semiannually, and within 90

1 days after a request by a party to any of the prior proceedings. Unless the parent,
2 guardian or the custodian objects to the referral, the court may enter an order
3 directing that the placement be reviewed by a panel appointed pursuant to NRS
4 432B.585.

5 2. An agency acting as the custodian of the child shall, before any hearing for
6 review of the placement of a child, submit a report to the court, or to the panel if it
7 has been designated to review the matter, which includes:

8 (a) An evaluation of the progress of the child and the family of the child and
9 any recommendations for further supervision, treatment or rehabilitation.

10 (b) Information concerning the placement of the child in relation to the child's
11 siblings, including, without limitation:

12 (1) Whether the child was placed together with the siblings;

13 (2) Any efforts made by the agency to have the child placed together with
14 the siblings;

15 (3) Any actions taken by the agency to ensure that the child has contact
16 with the siblings; and

17 (4) If the child is not placed together with the siblings:

18 (I) The reasons why the child is not placed together with the siblings;
19 and

20 (II) A plan for the child to visit the siblings, which must be approved
21 by the court.

22 (c) A copy of ~~the~~ any academic plan or individual graduation plan developed
23 for the child pursuant to NRS 388.155, 388.165 or 388.205 ~~or~~ or section 1 of this
24 act.

25 (d) A copy of any explanations regarding medication that has been prescribed
26 for the child that have been submitted by a foster home pursuant to NRS 424.0383.

27 3. Except as otherwise provided in this subsection, a copy of the report
28 submitted pursuant to subsection 2 must be given to the parents, the guardian ad
29 litem and the attorney, if any, representing the parent or the child. If the child was
30 delivered to a provider of emergency services pursuant to NRS 432B.630 and the
31 parent has not appeared in the action, the report need not be sent to that parent.

32 4. After a plan for visitation between a child and the siblings of the child
33 submitted pursuant to subparagraph (4) of paragraph (b) of subsection 2 has been
34 approved by the court, the agency which provides child welfare services must
35 request the court to issue an order requiring the visitation set forth in the plan for
36 visitation. If a person refuses to comply with or disobeys an order issued pursuant
37 to this subsection, the person may be punished as for a contempt of court.

38 5. The court or the panel shall hold a hearing to review the placement, unless
39 the parent, guardian or custodian files a motion with the court to dispense with the
40 hearing. If the motion is granted, the court or panel may make its determination
41 from any report, statement or other information submitted to it.

42 6. Except as otherwise provided in this subsection and subsection 5 of NRS
43 432B.520, notice of the hearing must be given by registered or certified mail to:

44 (a) All the parties to any of the prior proceedings;

45 (b) Any persons planning to adopt the child;

46 (c) A sibling of the child, if known, who has been granted a right to visitation
47 of the child pursuant to NRS 127.171 and his or her attorney, if any; and

48 (d) Any other relatives of the child or providers of foster care who are currently
49 providing care to the child.

50 7. The notice of the hearing required to be given pursuant to subsection 6:

51 (a) Must include a statement indicating that if the child is placed for adoption
52 the right to visitation of the child is subject to the provisions of NRS 127.171;

1 (b) Must not include any confidential information described in NRS 127.140;
2 and

3 (c) Need not be given to a parent whose rights have been terminated pursuant
4 to chapter 128 of NRS or who has voluntarily relinquished the child for adoption
5 pursuant to NRS 127.040.

6 8. The court or panel may require the presence of the child at the hearing and
7 shall provide to each person to whom notice was given pursuant to subsection 6 a
8 right to be heard at the hearing.

9 9. The court or panel shall review:

10 (a) The continuing necessity for and appropriateness of the placement;

11 (b) The extent of compliance with the plan submitted pursuant to subsection 2
12 of NRS 432B.540;

13 (c) Any progress which has been made in alleviating the problem which
14 resulted in the placement of the child; and

15 (d) The date the child may be returned to, and safely maintained in, the home
16 or placed for adoption or under a legal guardianship.

17 10. The provision of notice and a right to be heard pursuant to this section
18 does not cause any person planning to adopt the child, any sibling of the child or
19 any other relative, any adoptive parent of a sibling of the child or a provider of
20 foster care to become a party to the hearing.

21 **Sec. 4.** This act becomes effective on July 1, 2018.