

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:

1 Existing law requires the State Board of Education to prescribe the criteria for a
2 pupil to receive a standard high school diploma. (NRS 390.600) **Section 1** of this
3 bill requires the board of trustees of each school district and allows the governing
4 body of a charter school that operates as a high school and is in good standing with
5 its sponsor to adopt a policy to authorize the establishment of individual graduation
6 plans for pupils enrolled in a high school within the school district or operated by
7 the charter school, as applicable, who: (1) are not likely to graduate on time; (2)
8 have scored poorly on the college and career readiness assessment; or (3) have
9 attended or will attend school in another country as a foreign exchange student for
10 at least one semester. **Section 1** requires the Superintendent of Public Instruction to
11 establish certain requirements for eligibility for such a plan. **Section 1** further
12 allows a pupil with an individual graduation plan to remain enrolled in high school
13 for up to 3 semesters after the date on which he or she was otherwise scheduled to
14 graduate. The school district or charter school, as applicable, may withdraw an
15 individual graduation plan if the pupil is not making adequate progress as outlined
16 in the plan or for other good cause. **Section 1** provides that a pupil for whom an
17 individual graduation plan has been established must be counted when calculating
18 the graduation rates of pupils for the year in which the pupil was scheduled to
19 graduate until the pupil obtains a standard high school diploma and then must be
20 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;

(b) Have performed poorly on the college and career readiness assessment administered pursuant to NRS 390.610; 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), (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.



1 *Such conditions may include, without limitation, any subjects that*
2 *must be completed, the minimum number of units of credit in*
3 *which the pupil must enroll each semester, the minimum grade*
4 *point average that must be maintained by the pupil and any other*
5 *conditions necessary to ensure that the pupil makes adequate*
6 *progress to obtain a standard high school diploma within the time*
7 *allowed.*

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

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

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

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

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

21 *6. A pupil for whom an individual graduation plan has been*
22 *established must be counted when calculating the graduation rates*
23 *of pupils in the annual report of accountability for the school*
24 *district or charter school in which the pupil is enrolled pursuant to*
25 *NRS 385A.070 and the annual report of accountability prepared*
26 *by the State Board pursuant to NRS 385A.400 for the year in*
27 *which the pupil was scheduled to graduate until the pupil obtains*
28 *a standard high school diploma and then must be counted for the*
29 *appropriate year as determined by the Department pursuant to*
30 *subsection 8.*

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

36 *8. If a pupil for whom an individual graduation plan has*
37 *been established:*

38 *(a) Obtains a standard high school diploma within the time*
39 *allowed by the individual graduation plan, the pupil must be*
40 *counted as having received a standard high school diploma when*
41 *calculating the graduation rates of pupils for the purposes of NRS*
42 *388A.330, if applicable, in the annual report of accountability for*
43 *the school district or charter school in which the pupil is enrolled*
44 *pursuant to NRS 385A.070 and the annual report of*



1 *accountability prepared by the State Board pursuant to NRS*
2 *385A.400 for the year in which the pupil graduates.*

3 *(b) Fails to obtain a standard high school diploma within the*
4 *time allowed by the individual graduation plan, the pupil must be*
5 *counted as having failed to receive a standard high school diploma*
6 *when calculating the graduation rates of pupils for the purpose of*
7 *NRS 388A.330, if applicable, in the annual report of*
8 *accountability for the school district or charter school in which the*
9 *pupil is enrolled pursuant to NRS 385A.070 and the annual report*
10 *of accountability prepared by the State Board pursuant to NRS*
11 *385A.400 for the year in which the pupil was scheduled to*
12 *graduate pursuant to his or her individual graduation plan.*

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

21 *10. For the purposes of this section, a charter school shall be*
22 *deemed to be in good standing if:*

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

25 *(b) The charter school:*

26 *(1) Operates as a high school;*

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

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

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

33 388.205 1. The board of trustees of each school district shall
34 adopt a policy for each public school in the school district in which
35 ninth grade pupils are enrolled to develop a 4-year academic plan
36 for each of those pupils. *Except as otherwise provided in*
37 *subsection 4, the policy must require each public school to provide*
38 *each pupil with an academic plan at the beginning of the pupil's*
39 *ninth grade year.* The academic plan must set forth the specific
40 educational goals ~~that the pupil~~ *established pursuant to*
41 *subsection 6 each year and the steps that the pupil* intends to *take*
42 *in order to* achieve ~~before graduation from high school.~~ *those*
43 *goals.* The plan may include, without limitation, the designation of a
44 career pathway and enrollment in dual credit courses, career and



1 technical education courses, advanced placement courses and
2 honors courses.

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

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

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

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

22 (d) **The Free Application for Federal Student Aid and advice**
23 **providing how to finance enrollment in an institution that**
24 **provides postsecondary and vocational education; and**

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

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

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

31 (b) Sign the academic plan; and

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

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

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



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1 school diploma if the pupil otherwise satisfies the requirements for a
2 diploma.

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

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

10 432B.580 1. Except as otherwise provided in this section and
11 NRS 432B.513, if a child is placed pursuant to NRS 432B.550 other
12 than with a parent, the placement must be reviewed by the court at
13 least semiannually, and within 90 days after a request by a party to
14 any of the prior proceedings. Unless the parent, guardian or the
15 custodian objects to the referral, the court may enter an order
16 directing that the placement be reviewed by a panel appointed
17 pursuant to NRS 432B.585.

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

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

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

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

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

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

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

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

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

37 (c) A copy of ~~any~~ *any* academic plan *or individual graduation*
38 *plan* developed for the child pursuant to NRS 388.155, 388.165 or
39 388.205 ~~H~~ *or section 1 of this act.*

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

43 3. Except as otherwise provided in this subsection, a copy of
44 the report submitted pursuant to subsection 2 must be given to the
45 parents, the guardian ad litem and the attorney, if any, representing



1 the parent or the child. If the child was delivered to a provider of
2 emergency services pursuant to NRS 432B.630 and the parent has
3 not appeared in the action, the report need not be sent to that parent.

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

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

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

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

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

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

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

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

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

32 (b) Must not include any confidential information described in
33 NRS 127.140; and

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

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

40 9. The court or panel shall review:

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

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



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

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

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

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

