

ASSEMBLY BILL NO. 490—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

MARCH 25, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to the discipline of pupils. (BDR 34-390)

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

~

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

AN ACT relating to education; requiring public schools to collect and report on data on the discipline of pupils; requiring the Department of Education to develop and provide guidance and training to school districts regarding the collection, reporting and analyzing of such data; requiring the Superintendent of Public Instruction to report to the State Board of Education on trends in the data on the discipline of pupils; requiring the State Board to include an analysis of data on the discipline of pupils in its annual report of the state of public education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes an automated system of accountability information that records and tracks certain data relating to the education system, including pupil identification numbers and the results of the achievement of pupils. (NRS 385A.800) Each school district must report such data to the Department of Education. (NRS 385A.810) **Section 3** of this bill requires each public school to collect and report data on the discipline of pupils in the public school. **Section 3** requires that such data be disaggregated into subgroups of pupils and that each occurrence of suspension and expulsion be listed as a separate offense. **Section 3** requires the Department to develop and provide guidance to school districts on the collection of data on the discipline of pupils. **Section 3** additionally requires the Department to establish standard definitions of offenses for which a pupil may be disciplined and any related sanctions. **Section 3** further requires the Department to



* A B 4 9 0 *

provide training and professional development to educational personnel relating to reporting and analyzing data on the discipline of pupils.

Existing law prescribes the duties of the Superintendent of Public Instruction. (NRS 385.175) **Section 1** of this bill requires the Superintendent to report on a regular basis to the State Board of Education on trends in the data on the discipline of pupils in the public schools of this State. Existing law also requires the Department, in conjunction with the State Board, to submit an annual report regarding the state of public education to certain Legislative Committees. (NRS 385.230) **Section 2** of this bill requires the Department and State Board to include in such a report certain information relating to data on the discipline of pupils.

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

Section 1. NRS 385.175 is hereby amended to read as follows:
385.175 The Superintendent of Public Instruction is the educational leader for the system of K-12 public education in this State. The Superintendent of Public Instruction shall:

1. Execute, direct or supervise all administrative, technical and procedural activities of the Department in accordance with policies prescribed by the State Board.

2. Employ personnel for the positions approved by the State Board and necessary for the efficient operation of the Department.

3. Organize the Department in a manner which will assure efficient operation and service.

4. Maintain liaison and coordinate activities with other state agencies performing educational functions.

5. Enforce the observance of this title and all other statutes and regulations governing K-12 public education.

6. Request a plan of corrective action from the board of trustees of a school district or the governing body of a charter school if the Superintendent of Public Instruction determines that the school district or charter school, or any other entity which provides education to a pupil with a disability for a school district or charter school, has not complied with a requirement of this title or any other statute or regulation governing K-12 public education. The plan of corrective action must provide a timeline approved by the Superintendent of Public Instruction for compliance with the statute or regulation.

7. *Report to the State Board on a regular basis the data on the discipline of pupils and trends in the data on the discipline of pupils collected pursuant to section 3 of this act.*

8. Perform such other duties as are prescribed by law.



Sec. 2. NRS 385.230 is hereby amended to read as follows:

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

(a) An analysis of each annual report of accountability prepared by the State Board pursuant to NRS 385A.400;

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

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

(d) A description of the goals and benchmarks for improving the academic achievement of pupils which are included in the plan to improve the achievement of pupils required by NRS 385.111;

(e) A description of any policies, plans and programs for promoting, extending and improving career and technical education for pupils;

(f) A description of any significant changes made to the collection, maintenance or transfer of data concerning pupils by the Department, a school district, a sponsor of a charter school or a university school for profoundly gifted pupils;

(g) Any new data elements, including, without limitation, data about individual pupils and aggregated data about pupils within a defined group, proposed for inclusion in the automated system of accountability information for Nevada established pursuant to NRS 385A.800;

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

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

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

(k) An analysis of the ability of the automated system of accountability information for Nevada established pursuant to NRS 385A.800 to link the achievement of pupils to the performance of the individual teachers assigned to those pupils and to the principals of the schools in which the pupils are enrolled;

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



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

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

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

(3) Pupils with disabilities;

(4) Pupils who are English learners; and

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

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

(o) A summary of any measures taken by the Superintendent of Public Instruction pursuant to NRS 388.4354 to ensure compliance with a plan of corrective action or the order of a hearing officer ~~;~~ **and**

(p) An analysis of data on the discipline of pupils collected pursuant to section 3 of this act, including, without limitation:

(1) Trends in the data measuring changes in the discipline of pupils; and

(2) Areas identified by the Department where the Department will provide support to a public school to address trends in the data on the discipline of pupils.

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

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

Sec. 3. Chapter 385A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each public school in this State shall collect data on the discipline of pupils. Such data must:

(a) Be reported annually to the Department through the automated system of accountability information established pursuant to NRS 385A.800;

(b) Be disaggregated into subgroups of pupils; and



1 (c) *Include occurrences of suspension and expulsion as*
2 *separate offenses.*

3 2. *The Department shall:*

4 (a) *Develop and provide guidance to each school district in this*
5 *State on methods and procedures for the collection of data on the*
6 *discipline of pupils pursuant to subsection 1;*

7 (b) *Establish standard definitions of an offense for which a*
8 *pupil may be disciplined and any related sanctions; and*

9 (c) *Provide training and professional development to*
10 *educational personnel relating to the reporting and analysis of*
11 *data on the discipline of pupils. Such training must, without*
12 *limitation, provide educational personnel with the ability to create*
13 *a report of any data on the discipline of pupils, interpret the*
14 *results of such a report and develop a responsive plan of action*
15 *based on the results of such a report.*

16 **Sec. 4.** This act becomes effective on July 1, 2019.

