

Amendment No. 680

Senate Amendment to Senate Bill No. 27 First Reprint	(BDR 34-326)
Proposed by: Senate Committee on Finance	
Amends: Summary: No Title: Yes 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.



SENATE BILL NO. 27—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Education

SUMMARY—Revises various provisions relating to education. (BDR 34-326)

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; authorizing the Superintendent of Public Instruction to investigate persons subject to his or her jurisdiction; ~~for creating the Account for Teacher Incentives and authorizing certain uses of money in the Account; repealing provisions which abolished the Teachers' School Supplies Assistance Account;~~ revising the membership of the Commission on Professional Standards in Education; authorizing the State Board of Education to delegate authority to suspend or revoke a license to the Department of Education; revising provisions relating to the Teach Nevada Scholarship Program; revising provisions relating to the policy for parental involvement required by federal law; ~~revising provisions relating to the Nevada Institute on Teaching and Educator Preparation;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law makes the Superintendent of Public Instruction the educational leader for the system of K-12 public education in Nevada and establishes various duties of the Superintendent. (NRS 385.175) Existing law also authorizes the Superintendent to investigate certain persons involved with private elementary or secondary schools. (NRS 394.231) **Section 1** of this bill additionally authorizes the Superintendent to investigate certain persons involved with public schools.

~~—The Nevada Legislature has appropriated money in previous sessions for the payment of incentives for teachers who agree to teach in certain kinds of public schools in certain circumstances. (Sections 29 and 30 of Senate Bill No. 555, chapter 376, Statutes of Nevada 2019, at pages 2384-85; section 1 of Assembly Bill No. 196, chapter 488, Statutes of Nevada 2019, at page 2895) Section 4 of this bill creates the Account for Teacher Incentives to receive such appropriations and authorizes the use of money in the Account to pay such incentives.~~

~~—Existing law establishes the Teachers' School Supplies Assistance Account and authorizes the money in the Account to be used to reimburse a teacher for out-of-pocket expenses incurred for necessary school supplies for the pupils instructed by the teacher or to purchase such necessary school supplies directly in certain other ways. (NRS 387.1253-387.1257) Section 6 of this bill authorizes the Department of Education to require a school district or charter school that receives money from the Account to annually account for the money. Section 7 of this bill prohibits a school administrator from prohibiting or requiring a~~

~~teacher to purchase certain supplies for the pupils the teacher instructs. Existing law prospectively abolishes the Account on July 1, 2021, which has the effect of eliminating, as of July 1, 2021, the program that allows for a teacher to be reimbursed for out of pocket expenses incurred for necessary school supplies for pupils instructed by the teacher. (Section 80 of Senate Bill No. 543, chapter 624, Statutes of Nevada 2019, at page 4253) Section 21 of this bill removes the prospective abolition of the Account, thereby allowing the program for reimbursement of teacher expenses to continue on and after July 1, 2021.]~~

Existing law establishes the membership of the Commission on Professional Standards in Education, which is required to prescribe qualifications for the licensing of teachers, administrators and other educational personnel. Existing law requires the membership of the Commission to include the dean of the College of Education of one of the universities in the Nevada System of Higher Education or such a dean's representative. (NRS 391.011, 391.019) **Section 8** of this bill additionally authorizes the Governor to appoint to this seat on the Commission the dean of the College or School of Education, as applicable, of one of the colleges in the Nevada System of Higher Education or such a dean's representative.

Existing law requires every applicant to be licensed as a teacher or other educational personnel to submit to a background investigation and requires a license to be issued if the information obtained as a result of the background investigation does not indicate that the applicant has committed certain types of conduct. Existing law additionally requires the Department to maintain and share certain information obtained as a result of such an investigation with the board of trustees of a school district, the governing body of a charter school or university school for profoundly gifted pupils or the administrator of a private school in certain circumstances. (NRS 391.033) Section 12.5 of this bill eliminates the requirement for the Department to maintain and share such information.

Existing law authorizes the State Board of Education to suspend or revoke the license of any teacher for any cause specified by law. (NRS 391.320) **Section 14** of this bill authorizes the State Board to delegate authority to suspend or revoke the license of a teacher to the Department of Education for certain causes specified by the State Board by regulation. If the State Board delegates such authority to the Department, **section 14** requires the Department to: (1) publish on its Internet website a list of the causes for which it has been delegated authority to impose discipline; (2) send written notice to a licensee before imposing discipline; and (3) forward any request for a hearing resulting from discipline imposed by the Department to the Superintendent of Public Instruction to carry out the hearing. **Section 13** of this bill makes a conforming change relating to the ability of the Department to impose discipline when delegated such authority. **Sections 15 and 16** of this bill make conforming changes to the disciplinary hearing process relating to the ability of the Department to impose discipline when delegated such authority.

Existing law establishes the Teach Nevada Scholarship Program, which allows public or private universities, colleges and other providers of alternative licensure programs in Nevada to apply for a grant to award scholarships to certain students who, upon completion of their program of study, will become licensed to teach in Nevada and obtain an endorsement to teach English as a second language or special education. (NRS 391A.550-391A.590) **Section 17** of this bill removes the requirement for a university, college or other provider offering an approved program to be located in Nevada and transfers responsibility to approve such programs from the State Board of Education to the Commission on Professional Standards in Education. **Section 17** also removes the requirement for a student receiving the scholarship to agree to complete the requirements to obtain an endorsement to teach English as a second language or special education. Existing law authorizes the State Board to prioritize the awarding of grants to a university, college or other provider of an alternative licensure program that will provide a greater number of scholarships to certain groups, including, without limitation, veterans or their spouses or recipients who will be eligible to teach in subject areas for which a shortage of teachers exist. (NRS 391A.580) **Section 17** adds recipients who agree to complete the requirements to obtain an endorsement to teach special education as an additional such group. If a recipient fails to complete the program for which a scholarship was awarded, existing law requires the university, college or other provider to repay any money received but not yet disbursed and up to \$1,000 of any amount already disbursed to the recipient. If a recipient completes the program, the State Board is required to pay the university, college or other provider \$1,000. (NRS 391A.590) **Section 18** of this bill

eliminates both: (1) the requirement for a university, college or other provider to repay up to \$1,000 of any amount already disbursed to a recipient who fails to complete a program; and (2) the requirement for the State Board to pay \$1,000 to a university, college or other provider if a recipient completes a program.

As a condition for the receipt of certain federal education funding, existing federal law requires each local educational agency to create a written policy for parent and family engagement that includes a variety of provisions. (20 U.S.C. § 6318) Existing law carries out this federal requirement by requiring the Department of Education to prescribe a form for educational involvement accords to be used by all public schools in this State and establishing the contents of the accords. (NRS 392.4575) **Section 19** of this bill replaces the requirement for the Department to adopt such a form with a requirement for each public school to create a school-family compact that complies with the requirements of federal law and any guidelines issued by the Department. **Section 19** also authorizes the Department to review school-family compacts for compliance.

~~Existing law authorizes a college or university within the Nevada System of Higher Education to apply to the State Board of Education for a grant of money to establish the Nevada Institute on Teaching and Educator Preparation, which is required to perform certain duties to increase the number of highly qualified, licensed teachers in Nevada. (NRS 396.5185) Section 20 of this bill requires any money appropriated to the Institute to: (1) be accounted for separately; (2) not revert to the State General Fund at the end of any fiscal year; and (3) be carried forward to the next fiscal year.~~

Existing law requires the Department to prescribe a form for teachers in elementary schools to provide reports to parents and legal guardians of pupils including a variety of information, including, without limitation, a checklist regarding the timely completion of homework assignments by a pupil and a list of resources available within the community to assist parents and legal guardians in addressing issues identified on the checklist. (NRS 392.456) **Section 22** of this bill repeals this requirement.

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. ~~Shall:~~

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

~~(b)~~ (b) Employ personnel for the positions approved by the State Board and necessary for the efficient operation of the Department.

~~(c)~~ (c) Organize the Department in a manner which will assure efficient operation and service.

~~(d)~~ (d) Maintain liaison and coordinate activities with other state agencies performing educational functions.

~~(e)~~ (e) Enforce the observance of this title and all other statutes and regulations governing K-12 public education.

~~(f)~~ (f) 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.]~~ (g) 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 NRS 385A.840.

~~8.]~~ (h) Perform such other duties as are prescribed by law.

2. *May investigate, on the Superintendent's own initiative or in response to any complaint lodged with the Superintendent, any person licensed pursuant to chapter 391 of NRS subject to, or reasonably believed by the Superintendent to be subject to, his or her jurisdiction, and in connection with an investigation:*

(a) *Subpoena any persons, books, records or documents pertaining to the investigation.*

(b) *Require answers in writing under oath to questions propounded by the Superintendent.*

(c) *Administer an oath or affirmation to any person.*

(d) *Request from any other department, division, board, bureau, commission or other agency of the State, and the latter agency shall provide, any information which it possesses that may be relevant to an investigation pursuant to this subsection.*

(e) *Delegate authority to perform the investigative functions listed in this subsection to qualified personnel of the Department.*

➤ A subpoena issued by the Superintendent may be enforced by any district court of this State.

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. ~~[Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. The Account for Teacher Incentives is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants of money from any source for deposit in the Account. Any money from gifts and grants may be expended in accordance with the terms and conditions of the gift or grant, or in accordance with subsection 2. The interest and income earned on the sum of:~~

~~(a) The money in the Account; and~~

~~(b) Unexpended appropriations made to the Account from the State General Fund;~~

~~➤ must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.~~

~~2. The money in the Account may only be used for the purposes specified in subsection 3 or for any other purpose, as authorized by the Legislature.~~

~~3. The money in the Account may be distributed by the Superintendent of Public Instruction to the school districts in this State to provide incentive payments to:~~

~~(a) Teachers who are newly hired to teach in a school which is not a Title I school, as defined in NRS 385A.040, or a school designated as underperforming pursuant to the statewide system of accountability for public schools;~~

~~(b) Teachers who are currently employed to teach at a public school in Nevada that is not a Title I school or a school designated as underperforming pursuant to the statewide system of accountability for public schools and who transfer to teach at a Title I school or a school with that designation; and~~

~~—(c) Teachers who were employed to teach at a public school in Nevada that was a Title I school or a school designated as underperforming pursuant to the statewide system of accountability for public schools during the immediately preceding school year and who remain employed at a Title I school or school with that designation during the succeeding school year.~~

~~—4. A teacher who receives an incentive payment specified in paragraph (b) or (c) of subsection 3 during a school year remains eligible to receive such an incentive payment during subsequent school years.~~

~~—5. The board of trustees of each school district and the governing body of each charter school shall establish a special revenue fund and direct that the money it receives pursuant to this section be deposited in that fund. Money in the special revenue fund must not be commingled with money from other sources and may be used solely to pay incentive payments to teachers pursuant to this section and any regulations adopted pursuant thereto.~~

~~—6. The State Board shall adopt any regulations necessary to carry out the provisions of this section.~~ (Deleted by amendment.)

Sec. 5. (Deleted by amendment.)

Sec. 6. ~~[NRS 387.1255 is hereby amended to read as follows:~~

~~—387.1255 1. On or before September 1 of each year, the Department shall determine the amount of money that is available in the Teachers' School Supplies Assistance Account created by NRS 387.1253 for distribution among all of the school districts and charter schools in this State for that fiscal year. Any such distribution must be provided to each school district and charter school based on the number of teachers employed by the school district or charter school, as applicable. To the extent that money is available, the Department shall establish the amount of disbursement or reimbursement for each teacher which must not exceed \$250 per fiscal year.~~

~~—2. The board of trustees of each school district and the governing body of each charter school shall establish a special revenue fund and direct that the money it receives pursuant to subsection 1 be deposited in that fund. Money in the special revenue fund must not be commingled with money from other sources. The board of trustees or the governing body, as applicable, shall disburse money in the special revenue fund to teachers in accordance with NRS 387.1257.~~

~~—3. The money in the special revenue fund must be used only to:~~

~~—(a) Pay for a purchase of necessary school supplies for the pupils instructed by a teacher using a purchasing card or debit card issued for this purpose to the teacher by a school;~~

~~—(b) Pay the balance owed on a credit card issued to a teacher by a school to pay for a purchase of necessary school supplies for the pupils the teacher instructs;~~

~~—(c) Deposit money directly into the account of a teacher maintained at a financial institution to pay for a purchase of necessary school supplies for the pupils the teacher instructs;~~

~~—(d) Provide a check written to a teacher to pay for a purchase of necessary school supplies for the pupils the teacher instructs; or~~

~~—(e) Reimburse teachers for out of pocket expenses incurred in connection with purchasing necessary school supplies for the pupils they instruct.~~

~~—4. If there is money remaining in the special revenue fund because one or more teachers at the school did not use the amount established for his or her disbursement or reimbursement pursuant to subsection 1, the board of trustees of a school district or the governing body of a charter school, as applicable, shall allow a teacher who has used the entire amount of his or her disbursement or reimbursement pursuant to subsection 1 to request an additional disbursement or reimbursement from the special revenue fund. The combined total amount of a~~

1 ~~disbursement or reimbursement and an additional disbursement or reimbursement~~
2 ~~for each teacher must not exceed \$250 per fiscal year.~~

3 ~~— 5. The board of trustees or governing body of a charter school, as applicable,~~
4 ~~shall not use money in the special revenue fund to pay any administrative costs.~~

5 ~~— 6. Any money remaining in the special revenue fund at the end of a fiscal year~~
6 ~~reverts to the Teachers' School Supplies Assistance Account.~~

7 ~~— 7. The Department may require each school district or charter school that~~
8 ~~receives money pursuant to subsection 1 to account for all such money annually.]~~
9 ~~(Deleted by amendment.)~~

10 **Sec. 7.** ~~[NRS 387.1257 is hereby amended to read as follows:~~

11 ~~— 387.1257 1. The board of trustees of each school district and the governing~~
12 ~~body of each charter school that receives money pursuant to subsection 1 of NRS~~
13 ~~387.1255 shall determine the manner in which to distribute the money to teachers in~~
14 ~~the school district or charter school, as applicable, including, without limitation,~~
15 ~~whether to authorize a school to allow teachers to use a credit card, purchasing card~~
16 ~~or debit card connected to the special revenue fund issued to the teacher by the~~
17 ~~school to directly purchase school supplies, require a teacher to submit a request for~~
18 ~~a claim for reimbursement for out of pocket expenses from the special revenue~~
19 ~~fund established pursuant to NRS 387.1255 or authorize any other manner of~~
20 ~~providing money to a teacher described in subsection 3 of NRS 387.1255 to pay for~~
21 ~~school supplies for the pupils the teacher instructs.~~

22 ~~— 2. To the extent that money is available in the special revenue fund, the board~~
23 ~~of trustees or governing body, as applicable, may reimburse a teacher, or the~~
24 ~~teacher may use, up to the maximum amount determined by the Department for~~
25 ~~each teacher pursuant to NRS 387.1255 for the fiscal year.~~

26 ~~— 3. If the board of trustees of a school district or the governing body of a~~
27 ~~charter school, as applicable, requires a teacher to submit a claim for~~
28 ~~reimbursement for out of pocket expenses to receive money from the special~~
29 ~~revenue fund, the teacher must submit such a claim no later than 2 weeks after the~~
30 ~~last day of the school year.~~

31 ~~— 4. The board of trustees of a school district may enter into an agreement with~~
32 ~~the recognized employee organization representing licensed educational personnel~~
33 ~~within the school district for the purpose of obtaining assistance of the employee~~
34 ~~organization in administering the reimbursement of teachers pursuant to this~~
35 ~~section.~~

36 ~~— 5. A teacher who receives money pursuant to subsection 1 to directly~~
37 ~~purchase school supplies shall repay to the special revenue fund established~~
38 ~~pursuant to NRS 387.1255 by not later than the last day of the fiscal year in which~~
39 ~~the money was received:~~

40 ~~— (a) Any amount that was not used;~~

41 ~~— (b) Any amount that was used to purchase something other than school~~
42 ~~supplies; and~~

43 ~~— (c) Any amount that exceeds the maximum amount authorized pursuant to~~
44 ~~NRS 387.1255 in any fiscal year.~~

45 ~~— 6. A teacher who uses or receives money or submits a claim for~~
46 ~~reimbursement for out of pocket expenses pursuant to subsection 1 may~~
47 ~~purchase any supplies for the pupils the teacher instructs that the teacher deems~~
48 ~~appropriate which satisfy the requirements of NRS 387.1251 to 387.1257,~~
49 ~~inclusive. A principal or other school administrator shall not prohibit a teacher~~
50 ~~from purchasing any supplies which satisfy the requirements of NRS 387.1251 to~~
51 ~~387.1257, inclusive, or require a teacher to purchase any such supplies.~~

52 ~~— 7. The board of trustees of each school district and the governing body of~~
53 ~~each charter school shall adopt a policy that establishes the manner in which to~~

~~account for reimbursements or disbursements of money [], as applicable, through each form of payment authorized for use by the board of trustees or the governing body, as applicable. The policy may include, without limitation, a requirement to submit receipts for any purchase of supplies with money received pursuant to subsection 1.7. (Deleted by amendment.)~~

Sec. 8. NRS 391.011 is hereby amended to read as follows:

391.011 1. The Commission on Professional Standards in Education, consisting of eleven members appointed by the Governor, is hereby created.

2. Five members of the Commission must be teachers who teach in the classroom as follows:

(a) One who holds a license to teach secondary education and teaches in a secondary school.

(b) One who holds a license to teach middle school or junior high school education and teaches in a middle school or junior high school.

(c) One who holds a license to teach elementary education and teaches in an elementary school.

(d) One who holds a license to teach special education and teaches special education.

(e) One who holds a license to teach pupils in a program of early childhood education and teaches in a program of early childhood education.

3. The remaining members of the Commission must include:

(a) One school counselor, psychologist, speech-language pathologist, audiologist, or social worker who is licensed pursuant to this chapter and employed by a school district or charter school.

(b) One administrator of a school who is employed by a school district or charter school to provide administrative service at an individual school. Such an administrator must not provide service at the district level.

(c) The dean of the College *or School* of Education, *as applicable*, at one of the universities *or colleges* in the Nevada System of Higher Education, or a representative of one of the Colleges *or Schools* of Education, *as applicable*, nominated by such a dean for appointment by the Governor.

(d) One member who is the parent or legal guardian of a pupil enrolled in a public school.

(e) One member who has expertise and experience in the operation of a business.

(f) One member who is the superintendent of schools of a school district.

4. Three of the five appointments made pursuant to subsection 2 must be made from a list of names of at least three persons for each position that is submitted to the Governor by an employee organization representing the majority of teachers in the State who teach in the educational level from which the appointment is being made.

5. The appointment made pursuant to:

(a) Paragraph (a) of subsection 3 must be made from a list of names of at least three persons that is submitted to the Governor by an employee organization representing the majority of school counselors, psychologists, speech-language pathologists, audiologists or social workers in this State who are not administrators.

(b) Paragraph (b) of subsection 3 must be made from a list of names of at least three persons that is submitted to the Governor by the organization of administrators for schools in which the majority of administrators of schools in this State have membership.

(c) Paragraph (d) of subsection 3 must be made from a list of names of persons submitted to the Governor by the Nevada Parent Teacher Association or its successor organization.

(d) Paragraph (f) of subsection 3 must be made from a list of names of persons submitted to the Governor by the Nevada Association of School Superintendents.

Sec. 9. (Deleted by amendment.)

Sec. 10. (Deleted by amendment.)

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)

Sec. 12.5. **NRS 391.033 is hereby amended to read as follows:**

391.033 1. All licenses for teachers and other educational personnel are granted by the Superintendent of Public Instruction pursuant to regulations adopted by the Commission and as otherwise provided by law.

2. An application for the issuance of a license must include the social security number of the applicant.

3. Every applicant for a license must submit with his or her application:

(a) A complete set of his or her fingerprints and written permission authorizing the Superintendent to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its initial report on the criminal history of the applicant and for reports thereafter upon renewal of the license pursuant to subsection 8 of NRS 179A.075, and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant; and

(b) Written authorization for the Superintendent to obtain any information concerning the applicant that may be available from the Statewide Central Registry and any equivalent registry maintained by a governmental entity in a jurisdiction in which the applicant has resided within the immediately preceding 5 years.

4. In conducting an investigation into the background of an applicant for a license, the Superintendent may cooperate with any appropriate law enforcement agency to obtain information relating to the criminal history of the applicant, including, without limitation, any record of warrants for the arrest of or applications for protective orders against the applicant.

5. The Superintendent may issue a provisional license pending receipt of the reports of the Federal Bureau of Investigation and the Central Repository for Nevada Records of Criminal History if the Superintendent determines that the applicant is otherwise qualified.

6. Except as otherwise provided in subsection 8, a license must be issued to, or renewed for, as applicable, an applicant if:

(a) The Superintendent determines that the applicant is qualified;

(b) The information obtained by the Superintendent pursuant to subsections 3 and 4:

(1) Does not indicate that the applicant has been convicted of a felony or any offense involving moral turpitude or indicates that the applicant has been convicted of a felony or an offense involving moral turpitude but the Superintendent determines that the conviction is unrelated to the position within the county school district or charter school for which the applicant applied or for which he or she is currently employed, as applicable;

(2) Does not indicate that there has been a substantiated report of abuse or neglect of a child, as defined in NRS 432B.020, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made against the applicant in any state; and

(3) Does not indicate that the applicant has a warrant for his or her arrest; and

(c) For initial licensure, the applicant submits the statement required pursuant to NRS 391.034.

7. If, pursuant to subparagraph (2) of paragraph (b) of subsection 6, the information indicates that a substantiated report has been made against the applicant in any state, the Superintendent shall:

- (a) Suspend the application process;
 - (b) Notify the applicant of the substantiated report; and
 - (c) Provide the applicant an opportunity to rebut the substantiated report.
8. The Superintendent may deny an application for a license pursuant to this section if:

(a) A report on the criminal history of the applicant from the Federal Bureau of Investigation or the Central Repository for Nevada Records of Criminal History indicates that the applicant has been arrested for or charged with a sexual offense involving a minor or pupil, including, without limitation, any attempt, solicitation or conspiracy to commit such an offense; and

(b) The Superintendent provides to the applicant:

- (1) Written notice of his or her intent to deny the application; and
- (2) An opportunity for the applicant to have a hearing.

9. To request a hearing pursuant to subsection 8, an applicant must submit a written request to the Superintendent within 15 days after receipt of the notice by the applicant. Such a hearing must be conducted in accordance with regulations adopted by the State Board. If no request for a hearing is filed within that time, the Superintendent may deny the license.

10. If the Superintendent denies an application for a license pursuant to this section, the Superintendent must, within 15 days after the date on which the application is denied, provide notice of the denial to the school district or charter school that employs the applicant if the applicant is employed by a school district or charter school. Such a notice must not state the reasons for denial.

11. ~~[The Department shall:~~

~~(a) Maintain a list of the names of persons whose applications for a license are denied due to conviction of a sexual offense involving a minor;~~

~~(b) Update the list maintained pursuant to paragraph (a) monthly; and~~

~~(c) Provide this list to the board of trustees of a school district or the governing body of a charter school upon request.~~

~~12. The Superintendent shall forward all information obtained from an investigation of an applicant pursuant to subsections 3 and 4 to the board of trustees of a school district, the governing body of a charter school or university school for profoundly gifted pupils or the administrator of a private school where the applicant is employed or seeking employment. Except as otherwise provided in this section, any information shared with the board of trustees of a school district, the governing body of a charter school or university school for profoundly gifted pupils or the administrator of a private school is confidential and must not be disclosed to any person other than the applicant. The board of trustees, governing body or administrator, as applicable, may use a substantiated report of the abuse or neglect of a child, as defined in NRS 392.281, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained from the Statewide Central Registry or an equivalent registry maintained by a governmental agency in another jurisdiction.~~

~~(a) In making determinations concerning assignments, requiring retraining, imposing discipline, hiring or termination; and~~

~~(b) In any proceedings to which the report is relevant, including, without limitation, an action for trespass or a restraining order.~~

~~13.] The Superintendent [, the board of trustees of a school district, the governing body of a charter school or university school for profoundly gifted pupils or the administrator of a private school] may not be held liable for damages resulting from any action of the Superintendent [, board of trustees, governing body or administrator, as applicable.] authorized by subsection 4. [for 12.~~

~~14.] 12. The Superintendent may enter into reciprocal agreements with appropriate officials of other countries concerning the licensing of teachers.~~

~~14.5~~ 13. As used in this section, “sexual offense” has the meaning ascribed to it in NRS 179D.097.

Sec. 13. NRS 391.3015 is hereby amended to read as follows:

391.3015 1. Except as otherwise provided by subsection 3, if the license of an employee lapses during a time that school is in session:

(a) The school district that employs him or her shall provide written notice to the employee of the lapse of the employee’s license and of the provisions of this section;

(b) The employee must not be suspended from employment for the lapsed license for a period of 90 days after the date of the notice pursuant to paragraph (a) or the end of the school year, whichever is longer; and

(c) The employee’s license shall be deemed valid for the period described in paragraph (b) for purposes of the employee’s continued employment with the school district during that period.

2. If a school district complies with subsection 1 and an employee fails to reinstate his or her license within the time prescribed in paragraph (b) of subsection 1, his or her employment shall be deemed terminated at the end of the period described in paragraph (b) of subsection 1 and the school district is not otherwise required to comply with NRS 391.301 to 391.309, inclusive.

3. The provisions of this section do not apply to an employee whose:

(a) License has been suspended or revoked by the State Board *or the Department* pursuant to NRS 391.320 to 391.361, inclusive; or

(b) Application for renewal was denied by the Superintendent of Public Instruction pursuant to NRS 391.033.

Sec. 14. NRS 391.320 is hereby amended to read as follows:

391.320 1. The State Board of Education may ~~suspend~~:

(a) Suspend or revoke the license of any teacher for any cause specified by law ~~and~~; *and*

(b) Delegate authority to the Department to suspend or revoke the license of any teacher for any cause specified by the State Board by regulation pursuant to subsection 2.

2. If the State Board delegates authority to the Department pursuant to subsection 1:

(a) The State Board, by regulation, shall specify the causes for which authority to suspend or revoke the license of a teacher is delegated to the Department; and

(b) The Department shall:

(1) Publish on its Internet website a list of the causes for which the State Board has delegated authority to suspend or revoke the license of a teacher pursuant to paragraph (a);

(2) Send written notice to a licensee pursuant to NRS 391.322 before taking any action to suspend or revoke a license; and

(3) If the licensee requests a hearing pursuant to subsection 3 of NRS 391.322, forward the request to the Superintendent of Public Instruction to carry out a hearing pursuant to NRS 391.320 to 391.361, inclusive.

Sec. 15. NRS 391.322 is hereby amended to read as follows:

391.322 1. If the board of trustees of a school district, the governing body of a charter school or the Superintendent of Public Instruction or the Superintendent’s designee submits a recommendation to the State Board for the suspension or revocation of a license issued pursuant to this chapter, the State Board shall send written notice of the recommendation to the person to whom the license has been issued at the address on file with the Department. *If the State Board delegates authority to the Department to suspend or revoke a license pursuant to NRS*

1 *391.320, the Department shall send written notice of intent to suspend or revoke a*
2 *license to the person to whom the license has been issued at the address on file*
3 *with the Department.*

4 2. A notice given pursuant to subsection 1 must contain:

5 (a) A statement of the charge upon which the recommendation *or intent* is
6 based;

7 (b) A copy of the recommendation received by the State Board ~~§~~ , *if*
8 *applicable;*

9 (c) A statement that the licensee is entitled to a hearing before a hearing officer
10 if the licensee makes a written request for the hearing as provided by subsection 3;
11 and

12 (d) A statement that the grounds and procedure for the suspension or
13 revocation of a license are set forth in NRS 391.320 to 391.361, inclusive.

14 3. A licensee to whom notice has been given pursuant to this section may
15 request a hearing before a hearing officer selected pursuant to subsection 4. Such a
16 request must be in writing and must be filed with the Superintendent of Public
17 Instruction , *if notice was sent pursuant to subsection 1 by the State Board, or*
18 *with the Department, if notice was sent pursuant to subsection 1 by the*
19 *Department,* within 15 days after receipt of the notice by the licensee.

20 4. Upon receipt of a request filed pursuant to subsection 3, the Superintendent
21 of Public Instruction shall request from the Hearings Division of the Department of
22 Administration a list of potential hearing officers. The licensee requesting a hearing
23 and the Superintendent of Public Instruction shall select a person to serve as
24 hearing officer from the list provided by the Hearings Division of the Department
25 of Administration by alternately striking one name until the name of only one
26 hearing officer remains. The Superintendent of Public Instruction shall strike the
27 first name.

28 5. Except as otherwise provided in subsection 6, if no request for a hearing is
29 filed within the time specified in subsection 3, the State Board *or the Department,*
30 *as applicable,* may suspend or revoke the license or take no action on the
31 recommendation.

32 6. If the Department receives notice of a conviction of a licensee and the
33 conviction is for an act which is a ground for the suspension or revocation of a
34 license ~~§~~ *and the State Board has not delegated authority pursuant to NRS*
35 *391.320 to the Department to suspend or revoke a license for such a cause,* the
36 State Board shall immediately process the recommendation in accordance with the
37 provisions of NRS 391.320 to 391.361, inclusive. If no request for a hearing is filed
38 within the time specified in subsection 3, the State Board may accept, reject or
39 modify the recommendation.

40 **Sec. 16.** NRS 391.355 is hereby amended to read as follows:

41 391.355 1. The State Board shall adopt rules of procedure for the conduct of
42 hearings conducted pursuant to NRS 391.323.

43 2. The rules of procedure must provide for boards of trustees of school
44 districts, governing bodies of charter schools or the Superintendent of Public
45 Instruction or *an employee of the Department designated by the* ~~{Superintendent's~~
46 ~~designee}~~ *Superintendent* to bring charges, when cause exists.

47 3. The rules of procedure must provide that:

48 (a) The licensed employee, board of trustees of a school district, governing
49 body of a charter school and Superintendent are entitled to be heard, to be
50 represented by an attorney and to call witnesses in their behalf.

51 (b) The hearing officer selected pursuant to NRS 391.322 is entitled to be
52 reimbursed for his or her reasonable actual expenses.

(c) If requested by the hearing officer selected pursuant to NRS 391.322, an official transcript must be made.

(d) Except as otherwise provided in paragraph (e), the State Board, licensed employee and the Department, board of trustees of a school district or governing body of a charter school which initiated the complaint resulting in the hearing are equally responsible for the expense of and compensation for the hearing officer selected pursuant to NRS 391.322 and the expense of the official transcript. The State Board may bill the licensed employee or the Department, board of trustees of a school district or governing body of a charter school which initiated the complaint resulting in the hearing for their percentage of any expenses incurred pursuant to this paragraph.

(e) If the hearing results from a recommendation to revoke or suspend a license based upon a conviction which is a ground for the suspension or revocation of a license pursuant to paragraph (e) or (f) of subsection 1 of NRS 391.330, the licensed employee is fully responsible for the expense of and compensation for the hearing officer selected pursuant to NRS 391.322 and the expense of the official transcript. The State Board may bill the licensed employee for such expenses.

4. A hearing officer selected pursuant to NRS 391.322 shall, upon the request of a party, issue subpoenas to compel the attendance of witnesses and the production of books, records, documents or other pertinent information to be used as evidence in hearings conducted pursuant to NRS 391.323.

Sec. 17. NRS 391A.580 is hereby amended to read as follows:

391A.580 1. A public or private university, college or other provider of an alternative licensure program ~~[in this State]~~ is eligible to apply to the State Board for a grant from the Account to award scholarships to students who attend the university, college or other provider of an alternative licensure program to complete a program offered by the university, college or other provider of an alternative licensure program that has been approved by the ~~[State Board]~~ *Commission on Professional Standards in Education* and which:

(a) Upon completion makes a student eligible to obtain a license to teach kindergarten, any grade from grades 1 through 12 or in the subject area of special education in this State; or

(b) Allows a student to specialize in the subject area of early childhood education.

2. The State Board shall:

(a) Establish the number of Teach Nevada Scholarships that will be available each year based upon the amount of money available in the Account.

(b) Review all applications submitted pursuant to subsection 1 and award a grant of money from the Account to ~~[an approved]~~ a university, college or other provider of an alternative licensure program *offering a program described in subsection 1* to the extent that money is available in an amount determined by the State Board. The State Board shall retain 25 percent of such an award in the Account for disbursement to a scholarship recipient who meets the requirements of subsection 4 of NRS 391A.585.

3. The State Board may prioritize the award of grants from the Account to a university, college or other provider of an alternative licensure program that demonstrates the university, college or other provider of an alternative licensure program will provide scholarships to a greater number of recipients who:

(a) Are veterans or the spouses of veterans;

(b) Intend to teach in public schools in this State which have the highest shortage of teachers;

(c) Have been economically disadvantaged or belong to a racial or ethnic minority group; ~~[or]~~

(d) *Agree to complete the requirements to obtain an endorsement to teach special education; or*

(e) Will be eligible to teach in a subject area for which there is a shortage of teachers. Such a subject area may include, without limitation, science, technology, engineering, mathematics, special education or English as a second language.

4. A student may apply for a Teach Nevada Scholarship from a university, college or other provider of an alternative licensure program that receives a grant from the Account only if ~~[-]~~

~~—(a) The student attends or has been accepted to attend the university, college or other provider of an alternative licensure program to complete a program described in subsection 1. [-] and~~

~~—(b) The student agrees to complete the requirements to obtain an endorsement to teach English as a second language or an endorsement to teach special education.]~~

5. An application submitted by the student must identify the program to be completed and the date by which the student must complete the program to finish on schedule.

6. The State Board may adopt any regulations necessary to carry out the provisions of NRS 391A.550 to 391A.590, inclusive.

Sec. 18. NRS 391A.590 is hereby amended to read as follows:

391A.590 ~~[-]~~ If a scholarship recipient does not complete the program for which the scholarship was awarded for any reason, including, without limitation, withdrawing from the university, college or other provider of an alternative licensure program or pursuing another course of study, the university, college or other provider of an alternative licensure program that awarded the scholarship must pay to the State Board for credit to the Account ~~[-]~~

~~—(a) Any amount of money that the university, college or other provider of an alternative licensure program has received but has not yet disbursed to the scholarship recipient pursuant to NRS 391A.585. [-] and~~

~~—(b) An amount of money equal to the total amount of money disbursed to the scholarship recipient pursuant to NRS 391A.585 or \$1,000, whichever is less.~~

~~2. If a scholarship recipient completes the program for which the scholarship was awarded on schedule, as described in the application for the scholarship submitted pursuant to NRS 391A.580, to the extent that money is available for this purpose, the State Board shall pay \$1,000 to the university, college or other provider of an alternative licensure program that awarded the scholarship. Any money received by a university, college or other provider of an alternative licensure program pursuant to this section must be used to pay costs associated with providing a program described in subsection 1 of NRS 391A.580.]~~

Sec. 19. NRS 392.4575 is hereby amended to read as follows:

392.4575 1. ~~[The Department shall prescribe a form for educational involvement accords to be used by all]~~ *Each* public ~~[schools]~~ *school* in this State ~~[-]~~ *shall create a school-family compact.* The ~~[educational involvement accord]~~ *school-family compact* must comply with : ~~[the policy:]~~

(a) ~~[For]~~ *The policy for* parental involvement required by the federal Every Student Succeeds Act of 2015, as set forth in 20 U.S.C. § 6318.

(b) ~~[For]~~ *The policy for* parental involvement and family engagement adopted by the State Board pursuant to NRS 392.457.

(c) *Any guidance provided by the Department relating to the development of a school-family compact.*

2. ~~[Each educational involvement accord must include, without limitation:~~

~~—(a) A description of how the parent or legal guardian will be involved in the education of the pupil, including, without limitation:~~

~~(1) Reading to the pupil, as applicable for the grade or reading level of the pupil;~~

~~(2) Reviewing and checking the pupil's homework; and~~

~~(3) Contributing 5 hours of time each school year, including, without limitation, by attending school related activities, parent teacher association meetings, parent teacher conferences, volunteering at the school and chaperoning school sponsored activities.~~

~~(b) The responsibilities of a pupil in a public school, including, without limitation:~~

~~(1) Reading each day before or after school, as applicable for the grade or reading level of the pupil;~~

~~(2) Using all school equipment and property appropriately and safely;~~

~~(3) Following the directions of any adult member of the staff of the school;~~

~~(4) Completing and submitting homework in a timely manner; and~~

~~(5) Respecting himself or herself, others and all property.~~

~~(c) The responsibilities of a public school and the administrators, teachers and other personnel employed at a school, including, without limitation:~~

~~(1) Ensuring that each pupil is provided proper instruction, supervision and interaction;~~

~~(2) Maximizing the educational and social experience of each pupil;~~

~~(3) Carrying out the professional responsibility of educators to seek the best interest of each pupil; and~~

~~(4) Making staff available to the parents and legal guardians of pupils to discuss the concerns of parents and legal guardians regarding the pupils.~~

~~3.] Each [educational involvement accord] school-family compact~~ must be accompanied by, without limitation:

(a) Information describing how the parent or legal guardian may contact the pupil's teacher and the principal of the school in which the pupil is enrolled;

(b) The curriculum of the course or standards for the grade in which the pupil is enrolled, as applicable, including, without limitation, a calendar that indicates the dates of major examinations and the due dates of significant projects, if those dates are known by the teacher at the time that the information is distributed;

(c) The homework and grading policies of the pupil's teacher or school;

(d) Directions for finding resource materials for the course or grade in which the pupil is enrolled, as applicable;

(e) Suggestions for parents and legal guardians to assist pupils in their schoolwork at home;

(f) The dates of scheduled conferences between teachers or administrators and the parents or legal guardians of the pupil;

(g) The manner in which reports of the pupil's progress will be delivered to the parent or legal guardian and how a parent or legal guardian may request a report of progress;

(h) The classroom rules and policies;

(i) The dress code of the school, if any;

(j) The availability of assistance to parents who have limited proficiency in the English language;

(k) Information describing the availability of free and reduced-price meals, including, without limitation, information regarding school breakfast, school lunch and summer meal programs;

(l) Opportunities for parents and legal guardians to become involved in the education of their children and to volunteer for the school or class; and

(m) The code of honor relating to cheating prescribed pursuant to NRS 392.461.

~~[4.]~~ 3. The board of trustees of each school district *and the governing body of each charter school* shall adopt a policy providing for the development and distribution of the ~~educational involvement accord,~~ *school-family compact*. The policy adopted by a board of trustees *or governing body* must require each classroom teacher to:

(a) Distribute the ~~educational involvement accord,~~ *school-family compact* to the parent or legal guardian of each pupil in the teacher's class at the beginning of each school year or upon a pupil's enrollment in the class, as applicable; and

(b) Provide the parent or legal guardian with a reasonable opportunity to sign the ~~educational involvement accord.~~

~~—5.— Except as otherwise provided in this subsection, the board of trustees of each school district shall ensure that the form prescribed by the Department is used for the educational involvement accord of each public school in the school district. The board of trustees of a school district may authorize the use of an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.~~

~~—6.—~~ *school-family compact.*

4. The Department ~~[and the board of trustees of each school district shall, at least once each year, review and amend their respective educational involvement accords.]~~ *may, at its discretion, review the school-family compact in use by any public school in this State to ensure compliance with the provisions of this section.*

Sec. 20. ~~[NRS 396.5185 is hereby amended to read as follows:~~

~~— 396.5185 — 1. A college or university within the System is eligible to apply to the State Board for a grant of money to establish the Nevada Institute on Teaching and Educator Preparation.~~

~~— 2. The Nevada Institute on Teaching and Educator Preparation shall:~~

~~(a) Establish a highly selective program for the education and training of teachers that:~~

~~(1) Recruits promising students pursuing teaching degrees from inside and outside this State, with priority given to students from inside this State;~~

~~(2) Upon completion of the program, makes a student eligible to obtain a license to teach pupils in a program of early childhood education, kindergarten, any grade from grades 1 through 12 or in the subject area of special education in this State;~~

~~(3) Is thorough and rigorous and provides a student with increasing professional autonomy and responsibility;~~

~~(4) Allows a student to obtain experience in schools that serve high populations of pupils with disabilities or who are at risk or have other significant needs;~~

~~(5) Provides, in a manner that is aligned to the demographics of pupils in this State, the skills and knowledge necessary to teach the diverse population of pupils in this State;~~

~~(6) Identifies opportunities for placement of students who complete the program in public schools throughout this State; and~~

~~(7) Provides instruction concerning the most contemporary and effective pedagogies, curricula, technology and behavior management techniques for teaching;~~

~~(b) Identify a target number of students to be selected for participation in the program each year, which must be not less than 25 students;~~

~~(c) Establish requirements for each person who has completed the program to serve as a mentor to future students selected for the program and collaborate with~~

~~the program to build a community among students participating in the program and persons who have completed the program;~~

~~—(d) Conduct innovative and extensive research concerning approaches and methods used to educate and train teachers and to teach pupils, including, without limitation, pupils with disabilities or pupils who are at risk or have other significant needs; and~~

~~—(e) Continually evaluate, develop and disseminate approaches to teaching that address the variety of settings in which pupils in this State are educated.~~

~~3. The Nevada Institute on Teaching and Educator Preparation may:~~

~~—(a) Apply for and accept any gift, donation, bequest, grant or other source of money, or property or service provided in kind, for carrying out the duties of the Nevada Institute on Teaching and Educator Preparation; and~~

~~—(b) Support a student who is participating in the program by allocating money to the student or reimbursing the student for the costs of obtaining a teaching degree or a license to teach pupils;~~

~~4. An application to establish the Nevada Institute on Teaching and Educator Preparation pursuant to subsection 1 must demonstrate the ability of the applicant to:~~

~~—(a) Meet the requirements of subsection 2;~~

~~—(b) Provide additional money for the establishment and operation of the Institute that matches the grant of money awarded by the State Board; and~~

~~—(c) Sustain and expand the Institute over time.~~

~~5. Any money appropriated to the Nevada Institute on Teaching and Educator Preparation to carry out the duties of the Institute must be accounted for separately in the State General Fund. The money in the account:~~

~~—(a) Does not revert to the State General Fund at the end of any fiscal year; and~~

~~—(b) Must be carried forward to the next fiscal year.~~

~~6. As used in this section, “pupil ‘at risk’ ” has the meaning ascribed to it in NRS 388A.045.] (Deleted by amendment.)~~

Sec. 21. ~~[Section 80 of chapter 624, Statutes of Nevada 2019, at page 4253, is hereby amended to read as follows:~~

~~—Sec. 80. NRS 387.122, 387.1245, 387.1247, 387.1251, 387.1253, 387.1255, 387.1257, 387.129, 387.131, 387.133, 387.137, 387.139, 387.163, 387.193, 387.197, 387.2065, 387.2067 and 387.207 are hereby repealed.] (Deleted by amendment.)~~

Sec. 22. NRS 392.456 is hereby repealed.

Sec. 23. 1. This section and section ~~[21 of this act become effective on July 1, 2021.~~

~~2. Section] 18 of this act [becomes] become~~ effective on September 1, 2021.

~~[3.] 2.~~ Sections 1 to 17, inclusive, ~~[19, 20]~~ and ~~[22] 19 to 22, inclusive,~~ of this act become effective on February 1, 2022.

TEXT OF REPEALED SECTION

392.456 Form for use in elementary schools concerning status of pupil and participation of parent; restrictions on use.

1. The Department shall:

(a) Prescribe a form for use by teachers in elementary schools to provide reports to parents and legal guardians of pupils pursuant to this section;

(b) Work in consultation with the Legislative Bureau of Educational Accountability and Program Evaluation, the Nevada Association of School Boards, the Nevada Association of School Administrators, the Nevada State Education Association and the Nevada Parent Teacher Association in the development of the form; and

(c) Make the form available in electronic format for use by school districts and charter schools and, upon request, in any other manner deemed reasonable by the Department.

2. The form must include, without limitation:

(a) A notice to parents and legal guardians that parental involvement is important in ensuring the success of the academic achievement of pupils;

(b) A checklist indicating whether:

(1) The pupil completes his or her homework assignments in a timely manner;

(2) The pupil is present in the classroom when school begins each day and is present for the entire school day unless the pupil's absence is approved in accordance with NRS 392.130;

(3) The parent or legal guardian and the pupil abide by any applicable rules and policies of the school and the school district; and

(4) The pupil complies with the dress code for the school, if applicable; and

(c) A list of the resources and services available within the community to assist parents and legal guardians in addressing any issues identified on the checklist.

3. In addition to the requirements of subsection 2, the Department may prescribe additional information for inclusion on the form, including, without limitation:

(a) A report of the participation of the parent or legal guardian, including, without limitation, whether the parent or legal guardian:

(1) Completes forms and other documents that are required by the school or school district in a timely manner;

(2) Assists in carrying out a plan to improve the pupil's academic achievement, if applicable;

(3) Attends conferences between the teacher and the parent or legal guardian, if applicable; and

(4) Attends school activities.

(b) A report of whether the parent or legal guardian ensures the health and safety of the pupil, including, without limitation, whether:

(1) Current information is on file with the school that designates each person whom the school should contact if an emergency involving the pupil occurs; and

(2) Current information is on file with the school regarding the health and safety of the pupil, such as immunization records, if applicable, and any special medical needs of the pupil.

4. A teacher at an elementary school may provide the form prescribed by the Department, including the additional information prescribed pursuant to subsection 3 if the Department has prescribed such information on the form, to a parent or legal guardian of a pupil if the teacher determines that the provision of such a report would assist in improving the academic achievement of the pupil.

5. A report provided to a parent or legal guardian pursuant to this section must not be used in a manner that:

(a) Interferes unreasonably with the personal privacy of the parent or legal guardian or the pupil;

(b) Reprimands the parent or legal guardian; or

(c) Affects the grade or report of progress given to a pupil based upon the information contained in the report.