Amendment No. 968

Senate Amendment to Assembly Bill No. 386 Third Reprint (BDR 34-828)

Proposed by: Senate Committee on Education

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

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted ☐	Lost ☐		Adopted ☐	Lost ☐	
Concurred In ☐	Not ☐		Concurred In ☐	Not ☐	
Receded ☐	Not ☐		Receded ☐	Not ☐	

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.

BJF Date: 6/2/2025

A.B. No. 386—Revises provisions relating to assessments administered to pupils to assess reading proficiency. (BDR 34-828)

ASSEMBLY BILL NO. 386–ASSEMBLYMEMBERS GOULDING; AND HUNT

MARCH 10, 2025

Referred to Committee on Education

SUMMARY—Revises provisions relating to assessments administered to pupils to assess reading proficiency. (BDR ~~[34-828)]~~ **S-828)**

FISCAL NOTE: Effect on Local Government: No.
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; ~~[revising provisions governing the assessments which may be used]~~ **authorizing the Board of Trustees of the Washoe County School District to establish and administer a pilot program during the 2025-2026 school year to use an alternative assessment** to assess the literacy of pupils enrolled in an elementary school ~~[; authorizing]~~ **if the alternative assessment satisfies certain criteria; requiring** the Department of Education to ~~[prescribe requirements relating to the collection and reporting of the results of such assessments; authorizing the Department to prescribe the assessments used to assess literacy under certain circumstances; requiring the Department under certain circumstances to award grants to school districts and charter schools that use certain assessments to assess literacy other than the statewide assessment;]~~ **award a grant to the Washoe County School District in an amount equal to the savings to the Department for not administering the statewide assessment to pupils enrolled in the School District; requiring a report concerning the program to be submitted to the Department and the Joint Interim Standing Committee on Education;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of a school district or the governing body of a charter school to prepare a plan to improve the literacy of pupils enrolled in an elementary school. Such a plan must include procedures to assess the proficiency of a pupil in reading during each grade level of elementary school, as is determined to be necessary, by using assessments that have been approved by the State Board of Education by regulation. (NRS 388.157) This bill ~~[removes the requirement that such assessments be approved by the State Board by regulation, thereby allowing the board of trustees of a school district or the governing body of a charter school, as applicable, to include in the plan any]~~ **authorizes the Board of Trustees of the Washoe County School District to establish and administer a pilot program during the 2025-2026 school year to administer an assessment other than**

the statewide assessment to assess the proficiency of pupils in reading if the State Board approves the assessment. Under this bill, the State Board is required to approve such an assessment if the assessment is a valid and reliable standards-based assessment to assess proficiency in reading **[**. This bill also authorizes the Department of Education to: (1) adopt regulations prescribing how the results of any assessment used by a school district or charter school to assess proficiency in reading are collected and reported; and (2) prescribe the assessments which must be used in a school district or charter school if no assessment is included in the plan.**]** **and the Department of Education has established a method to establish an equivalent score to a score on the statewide assessment.** This bill further provides that, if the **[**board of trustees of a school district or the governing body of a charter school**]** **Board of Trustees of the Washoe County School District** administers **such** an assessment to assess proficiency in reading other than the statewide assessment **,** **[**and the Department establishes a method to determine an equivalent score on such an assessment,**]** the Department is required to award a grant to the **[**school district or local educational agency for the charter school**]** **School District** in an amount equal to the savings to the Department **[**, on a proportional basis,**]** for not administering the statewide assessment to pupils in **[**that school district or charter school.**]** **the School District. Finally, this bill requires the Washoe County School District to submit a report to the Department and the Joint Interim Standing Committee on Education concerning the pilot program.**

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

Section 1. **[**NRS 388.157 is hereby amended to read as follows:

388.157 1. The board of trustees of each school district and the governing body of each charter school shall prepare a plan to improve the literacy of pupils enrolled in an elementary school. Such a plan must include, without limitation:

(a) A program to provide intervention services and intensive instruction to pupils who have been identified as deficient in the subject area of reading to ensure that those pupils achieve adequate proficiency in the requisite reading skills and reading comprehension skills necessary to perform at a level determined by a statewide assessment to be within a level determined by the State Board ***, or an equivalent level determined by an assessment administered by the board of trustees of a school district or governing body of a charter school,*** for a pupil enrolled in the same grade in which the pupil is enrolled. Such a program must include, without limitation, regularly scheduled reading sessions in small groups and specific instruction designed to target any area of reading in which the pupil demonstrates a deficiency, including, without limitation, phonological and phonemic awareness, decoding skills, reading fluency and vocabulary and reading comprehension strategies;

(b) Procedures for assessing a pupil's proficiency in the subject area of reading using valid and reliable standards-based assessments **[**that have been approved by the State Board by regulation**]** during each grade level of the elementary school at which the pupil is enrolled as determined necessary;

(c) A program to improve the proficiency in reading of pupils who are English learners; and

(d) Procedures for facilitating collaboration between licensed teachers designated as literacy specialists and classroom teachers.

2. The board of trustees of each school district or the governing body of a charter school, as applicable, shall:

(a) Submit its plan to the Department for approval on or before the date prescribed by the Department on a form prescribed by the Department; and

~~(b) Make such revisions to the plan as the Department determines are necessary.~~

~~3. The Department [shall] :~~

~~*(a) Shall* adopt regulations that prescribe procedures for assessing the development across early learning domains of a pupil enrolled in kindergarten within the first 45 days of school in a school year.~~

~~*(b) May adopt regulations prescribing the manner by which the board of trustees of each school district and the governing body of a charter school are required to collect and report the results of any assessment used by the school district or charter school, as applicable, to assess a pupil's proficiency in the subject area of reading.*~~

~~*(c) May prescribe one or more valid and reliable standards-based statewide assessments that must be used in a school district or charter school to assess a pupil's proficiency in the subject area of reading if the board of trustees of the school district or the governing body of the charter school, as applicable, fails to include such an assessment in the plan submitted pursuant to subsection 1.*~~

~~*4. If the board of trustees of a school district or the governing body of a charter school administers an assessment to assess the proficiency of a pupil in the subject of reading other than a statewide assessment prescribed pursuant to paragraph (c) of subsection 3 and the Department has established a method to determine an equivalent score to a score on a statewide assessment for such an assessment, the Department shall award a grant to the school district or local educational agency for the charter school in an amount equal to the savings to the Department, on a proportional basis, for not administering the statewide assessment to pupils in the school district or charter school, as applicable. A grant to a school district or local educational agency awarded pursuant to this subsection must not exceed, on a per pupil basis, the cost of a statewide assessment prescribed pursuant to paragraph (c) of subsection 3.]~~ **(Deleted by amendment.)**

Sec. 2. (Deleted by amendment.)

Sec. 3. **1. For the 2025-2026 school year, the Board of Trustees of the Washoe County School District may establish and administer a pilot program for the administration of an assessment other than the statewide assessment to determine, for the purposes of the plan to improve the literacy of pupils enrolled in an elementary school prepared pursuant to NRS 388.157, whether pupils enrolled in the Washoe County School District have achieved adequate proficiency in the requisite reading skills and reading comprehension skills necessary to perform at a level determined by the statewide assessment to be within a level determined by the State Board of Education.**

2. Any assessment administered by the Board of Trustees of the Washoe County School District pursuant to the pilot program established and administered pursuant to subsection 1 must be approved by the State Board of Education. The State Board of Education shall approve any such assessment if:

(a) The assessment is a valid and reliable standards-based assessment to assess the proficiency of pupils in the subject area of reading; and

(b) The Department of Education has established for the assessment a method to determine an equivalent score to a score on a statewide assessment.

3. If, pursuant to the pilot program established and administered pursuant to subsection 1, the Board of Trustees of the Washoe County School District administers an assessment to assess the proficiency of a pupil in the subject area of reading other than the statewide assessment:

(a) The Board of Trustees is not required to administer the statewide assessment for the purposes of the plan prepared pursuant to NRS 388.157; and

(b) The Department of Education shall award a grant to the Washoe County School District in an amount equal to the savings to the Department for not administering the statewide assessment to pupils enrolled in the Washoe County School District.

4. Not later than August 31, 2026, the Washoe County School District shall provide a report to the Department of Education and the Joint Interim Standing Committee on Education concerning the pilot program established and administered pursuant to subsection 1 that includes, without limitation:

(a) Information concerning the assessment administered pursuant to the pilot program;

(b) The method by which the assessment administered pursuant to the pilot program establishes a score that is equivalent to a score on the statewide assessment; and

(c) Information concerning the grant made to the School District by the Department pursuant to subsection 3.

Sec. 4. **This act becomes effective on July 1, 2025, and expires by limitation on June 30, 2026.**