
ASSEMBLY BILL NO. 65—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-275)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; revising provisions relating to reports regarding and investigations into incidents of discrimination based on race, bullying and cyber-bullying; revising provisions governing the approval of work-based learning programs; revising provisions governing performance evaluations of certain postprobationary teachers and administrators; revising provisions governing the placement of children in certain early grades; revising provisions relating to discipline in public schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the Office for a Safe and Respectful Learning
2 Environment in the Department of Education and requires the Director of the
3 Office to investigate any complaint that a teacher, administrator, coach or other
4 staff member or member of a governing body has violated applicable provisions of
5 law regarding discrimination based on race, bullying or cyber-bullying. (NRS
6 388.1323) Existing law also requires the Director to establish the SafeVoice
7 Program within the Office, which allows a person to make an anonymous report to
8 a support center regarding dangerous, violent or unlawful activity that is conducted,
9 or is threatened to be conducted, on the property of a public school or in certain
10 other circumstances related to public schools. (NRS 388.1455) Any anonymous tip
11 made through the SafeVoice Program is then forwarded to the appropriate public
12 safety agencies and certain trained personnel at the public school for appropriate
13 action to be taken. (NRS 388.14553) **Section 3** of this bill provides that the
14 Director is not required to investigate a complaint that a teacher, administrator,



15 coach or other staff member or member of a governing body has violated applicable
16 provisions of law regarding discrimination based on race, bullying or cyber-
17 bullying if the complaint is made through the SafeVoice Program and investigated
18 by certain trained personnel at the public school, unless the complaint alleges that a
19 previous investigation of the same matter by the personnel at the public school
20 failed to resolve the issue or was otherwise deficient.

21 **Section 2** of this bill revises the definition of “bullying” to exclude acts,
22 gestures and expressions which are engaged in as part of a mutual disagreement or
23 conflict.

24 Upon receiving a report of discrimination based on race, bullying or cyber-
25 bullying, existing law requires the administrator of a school or his or her designee
26 to immediately begin an investigation into the report. With certain exceptions,
27 existing law requires the investigation to be completed not later than 2 school days
28 after receipt of the report. (NRS 388.1351) **Section 6** of this bill requires the
29 investigation to be completed, to the greatest extent practicable, within 5 school
30 days after the administrator or designee receives the report, or within 7 school days
31 if extenuating circumstances prevent the investigation from being completed within
32 5 school days. **Section 6** also removes the requirement for a direct supervisor of a
33 principal to submit to the Office a quarterly report regarding incidents of
34 discrimination based on race, bullying or cyber-bullying.

35 Existing law authorizes the board of trustees of a school district or the
36 governing body of a charter school to offer a work-based learning program upon
37 the approval of the State Board of Education. (NRS 389.167) **Section 9** of this bill
38 requires a work-based learning program to be approved instead by the
39 Superintendent of Public Instruction.

40 Existing law requires a postprobationary teacher or administrator who receives
41 an evaluation designating his or her overall performance as highly effective for 2
42 consecutive school years to participate in one observation cycle in the school year
43 immediately following the school year in which the postprobationary teacher or
44 administrator receives a second consecutive evaluation designating his or her
45 performance as highly effective but does not require such a teacher or administrator
46 to receive an evaluation for that year. (NRS 391.690, 391.710) **Sections 10 and 11**
47 of this bill authorize such a postprobationary teacher or administrator to receive an
48 evaluation in the school year immediately following the school year in which the
49 postprobationary teacher or administrator receives a second consecutive evaluation
50 designating his or her performance as highly effective upon the request of the
51 teacher or administrator or at the discretion of the administrator who conducts the
52 observation cycle for that year.

53 Existing law requires a child to be a certain age on or before the first day of the
54 school year to be admitted to certain early grades of school. (NRS 392.040) **Section**
55 **12** of this bill changes the date by which a child must attain a certain age to start
56 certain early grades from the first day of the school year to August 1 preceding a
57 school year.

58 Existing law requires a child who is 6 years of age on or before the first day of
59 school and has not completed kindergarten to be admitted to kindergarten. (NRS
60 392.040) **Section 12** instead requires such a child to undergo an assessment to
61 determine whether the child should be admitted to kindergarten or first grade.

62 Existing law requires a child who is 7 years of age on or before the first day of
63 school to: (1) be admitted to second grade if the child has completed kindergarten
64 and first grade; (2) be admitted to first grade if the child has completed
65 kindergarten; and (3) if the child has not completed kindergarten, to undergo an
66 assessment to determine whether the child should be admitted to kindergarten or
67 first grade. (NRS 392.040) **Section 12**: (1) eliminates the requirement for a child
68 who is 7 years of age by August 1 preceding a school year to complete



69 kindergarten; and (2) requires such a child who has not completed first grade to be
70 placed in either first or second grade based on the results of an assessment.
71 Existing law establishes provisions related to the discipline of pupils, including,
72 without limitation, suspending, expelling or removing a pupil from school. (NRS
73 392.461-392.472) Existing law prohibits a public school from suspending,
74 expelling or removing a pupil from a classroom or other premises of the school
75 without first providing a plan of action based on restorative justice. (NRS 392.472)
76 **Section 15** of this bill removes the requirement for a public school to provide a plan
77 of action based on restorative justice before suspending, expelling or removing a
78 pupil from a classroom or other premises of the school and requires a public school
79 to instead consider whether restorative approaches should be used as an alternative
80 or in addition to suspending or expelling a pupil or removing a pupil from a
81 classroom or other premises of the school. **Section 15** defines “restorative
82 approaches” and requires the Department to develop examples of disciplinary
83 practices in which restorative approaches are used as an alternative or in addition to
84 suspending or expelling a pupil or removing a pupil from a classroom or other
85 premises of the school. **Sections 1, 4, 5, 7, 8, 13 and 14** of this bill make
86 conforming changes relating to restorative approaches.

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

1 **Section 1.** NRS 385A.250 is hereby amended to read as
2 follows:
3 385A.250 1. The annual report of accountability prepared
4 pursuant to NRS 385A.070 must include information on the
5 discipline of pupils, including, without limitation:
6 (a) Records of incidents involving weapons or violence for each
7 school in the district, including, without limitation, each charter
8 school sponsored by the district.
9 (b) Records of incidents involving the use or possession of
10 alcoholic beverages or controlled substances for each school in the
11 district, including, without limitation, each charter school sponsored
12 by the district.
13 (c) Records of the suspension or expulsion, or both, of pupils
14 required or authorized pursuant to NRS 392.466 and 392.467.
15 (d) The number of pupils who are deemed habitual disciplinary
16 problems pursuant to NRS 392.4655, for each school in the district
17 and the district as a whole, including, without limitation, each
18 charter school sponsored by the district.
19 (e) For each school in the district and the district as a whole,
20 including, without limitation, each charter school sponsored by the
21 district, and categorized by types of incidents and the demographics
22 identified in subsection 1 of NRS 388.1235:
23 (1) The number of reported violations of NRS 388.135
24 occurring at a school or otherwise involving a pupil enrolled at a



1 school, regardless of the outcome of the investigation conducted
2 pursuant to NRS 388.1351;

3 (2) The number of incidents determined to be discrimination
4 based on race, bullying or cyber-bullying after an investigation is
5 conducted pursuant to NRS 388.1351;

6 (3) The number of incidents resulting in suspension or
7 expulsion, or both, for discrimination based on race, bullying or
8 cyber-bullying; and

9 (4) Any actions taken to reduce the number of incidents of
10 discrimination based on race, bullying or cyber-bullying including,
11 without limitation, training that was offered or other policies,
12 practices and programs that were implemented.

13 (f) For each high school in the district, including, without
14 limitation, each charter school sponsored by the district that operates
15 as a high school, and for high schools in the district as a whole:

16 (1) The number and percentage of pupils whose violations of
17 the code of honor relating to cheating prescribed pursuant to NRS
18 392.461 or any other code of honor applicable to pupils enrolled in
19 high school were reported to the principal of the high school,
20 reported by the type of violation;

21 (2) The consequences, if any, to the pupil whose violation is
22 reported pursuant to subparagraph (1), reported by the type of
23 consequence;

24 (3) The number of any such violations of a code of honor in a
25 previous school year by a pupil whose violation is reported pursuant
26 to subparagraph (1), reported by the type of violation; and

27 (4) The process used by the high school to address violations
28 of a code of honor which are reported to the principal.

29 (g) For each school in the district, including, without limitation,
30 each charter school sponsored by the district, information on:

31 (1) The ~~plan for restorative justice and the~~ process for
32 progressive discipline used by the school ~~{ }~~, *including, without*
33 *limitation, any restorative approaches that are used by the school;*
34 and

35 (2) The manner in which the school trains employees on
36 restorative ~~justice~~ *approaches* and progressive discipline.

37 2. The information included pursuant to subsection 1 must
38 allow such information to be disaggregated by:

39 (a) Pupils who are economically disadvantaged;

40 (b) Pupils from major racial and ethnic groups;

41 (c) Pupils with disabilities;

42 (d) Pupils who are English learners;

43 (e) Pupils who are migratory children;

44 (f) Gender;

45 (g) Pupils who are homeless;



- 1 (h) Pupils in foster care; and
- 2 (i) Pupils whose parent or guardian is a member of the Armed
- 3 Forces of the United States, a reserve component thereof or the
- 4 National Guard.

5 3. As used in this section:

- 6 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
- 7 (b) "Cyber-bullying" has the meaning ascribed to it in
- 8 NRS 388.123.
- 9 (c) "Discrimination based on race" has the meaning ascribed to
- 10 it in NRS 388.1235.
- 11 (d) "Expulsion" has the meaning ascribed to it in
- 12 NRS 392.4603.
- 13 (e) "Restorative ~~justice~~ *approaches*" has the meaning
- 14 ascribed to it in NRS 392.472.
- 15 (f) "Suspension" has the meaning ascribed to it in
- 16 NRS 392.4607.

17 **Sec. 2.** NRS 388.122 is hereby amended to read as follows:

18 388.122 1. "Bullying" means written, verbal or electronic

19 expressions or physical acts or gestures, or any combination thereof,

20 that are directed at a person or group of persons, or a single severe

21 and willful act or expression that is directed at a person or group of

22 persons, and:

- 23 (a) Have the effect of:
 - 24 (1) Physically harming a person or damaging the property of
 - 25 a person; or
 - 26 (2) Placing a person in reasonable fear of physical harm to
 - 27 the person or damage to the property of the person;
- 28 (b) Interfere with the rights of a person by:
 - 29 (1) Creating an intimidating or hostile educational
 - 30 environment for the person; or
 - 31 (2) Substantially interfering with the academic performance
 - 32 of a pupil or the ability of the person to participate in or benefit from
 - 33 services, activities or privileges provided by a school; or
- 34 (c) Are acts or conduct described in paragraph (a) or (b) and are
- 35 based upon the:
 - 36 (1) Actual or perceived race, color, national origin, ancestry,
 - 37 religion, gender identity or expression, sexual orientation, physical
 - 38 or mental disability of a person, sex or any other distinguishing
 - 39 characteristic or background of a person; or
 - 40 (2) Association of a person with another person having one
 - 41 or more of those actual or perceived characteristics.
- 42 2. The term includes, without limitation:
 - 43 (a) Repeated or pervasive taunting, name-calling, belittling,
 - 44 mocking or use of put-downs or demeaning humor regarding the
 - 45 actual or perceived race, color, national origin, ancestry, religion,



1 gender identity or expression, sexual orientation, physical or mental
2 disability of a person, sex or any other distinguishing characteristic
3 or background of a person;

4 (b) Behavior that is intended to harm another person by
5 damaging or manipulating his or her relationships with others by
6 conduct that includes, without limitation, spreading false rumors;

7 (c) Repeated or pervasive nonverbal threats or intimidation such
8 as the use of aggressive, menacing or disrespectful gestures;

9 (d) Threats of harm to a person, to his or her possessions or to
10 other persons, whether such threats are transmitted verbally,
11 electronically or in writing;

12 (e) Blackmail, extortion or demands for protection money or
13 involuntary loans or donations;

14 (f) Blocking access to any property or facility of a school;

15 (g) Stalking; and

16 (h) Physically harmful contact with or injury to another person
17 or his or her property.

18 **3. *The term does not include expressions, acts or gestures***
19 ***which are engaged in as part of a mutual disagreement or conflict.***

20 **Sec. 3.** NRS 388.1323 is hereby amended to read as follows:

21 388.1323 1. The Office for a Safe and Respectful Learning
22 Environment is hereby created within the Department.

23 2. The Superintendent of Public Instruction shall appoint a
24 Director of the Office, who shall serve at the pleasure of the
25 Superintendent.

26 3. The Director of the Office shall ensure that the Office:

27 (a) Maintains a 24-hour, toll-free statewide hotline and Internet
28 website by which any person can report a violation of the provisions
29 of NRS 388.121 to 388.1395, inclusive, and obtain information
30 about antidiscrimination and anti-bullying efforts and organizations;
31 and

32 (b) Provides outreach and antidiscrimination and anti-bullying
33 education and training for pupils, parents and guardians, teachers,
34 administrators, coaches and other staff members and the members of
35 a governing body. The outreach and training must include, without
36 limitation:

37 (1) Training regarding methods, procedures and practice for
38 recognizing discrimination based on race, bullying and cyber-
39 bullying behaviors;

40 (2) Training regarding effective intervention and remediation
41 strategies regarding discrimination based on race, bullying and
42 cyber-bullying;

43 (3) Training regarding methods for reporting violations of
44 NRS 388.135; and



1 (4) Information on and referral to available resources
2 regarding suicide prevention and the relationship between
3 discrimination based on race, bullying or cyber-bullying and
4 suicide, including, without limitation, resources for pupils who are
5 members of groups at a high risk of suicide. Such groups include,
6 without limitation, the groups described in subsection 3 of
7 NRS 388.256.

8 4. The Director of the Office shall establish procedures by
9 which the Office may receive reports of discrimination based on
10 race, bullying and cyber-bullying and complaints regarding
11 violations of the provisions of NRS 388.121 to 388.1395, inclusive.

12 5. ~~The~~ *Except as otherwise provided in this subsection, the*
13 Director of the Office or his or her designee shall investigate any
14 complaint that a teacher, administrator, coach or other staff member
15 or member of a governing body has violated a provision of NRS
16 388.121 to 388.1395, inclusive. If a complaint alleges criminal
17 conduct or an investigation leads the Director of the Office or his or
18 her designee to suspect criminal conduct, the Director of the Office
19 may request assistance from the Investigation Division of the
20 Department of Public Safety. *The Director of the Office or his or*
21 *her designee is not required to investigate a complaint pursuant to*
22 *this subsection if the complaint is made through the SafeVoice*
23 *Program established pursuant to NRS 388.1455 and investigated*
24 *by the team appointed pursuant to paragraph (a) of subsection 1*
25 *of NRS 388.14553, unless the complaint alleges that a previous*
26 *investigation conducted by the team appointed pursuant to*
27 *paragraph (a) of subsection 1 of NRS 388.14553 regarding the*
28 *same matter failed to resolve the issue or was otherwise deficient.*

29 **Sec. 4.** NRS 388.133 is hereby amended to read as follows:

30 388.133 1. The Department shall, in consultation with the
31 governing bodies, educational personnel, local associations and
32 organizations of parents whose children are enrolled in schools
33 throughout this State, and individual parents and legal guardians
34 whose children are enrolled in schools throughout this State,
35 prescribe by regulation a policy for all school districts and schools
36 to provide a safe and respectful learning environment that is free of
37 discrimination based on race, bullying and cyber-bullying.

38 2. The policy must include, without limitation:

39 (a) Requirements and methods for reporting violations of NRS
40 388.135, including, without limitation, violations among teachers
41 and violations between teachers and administrators, coaches and
42 other personnel of a school district or school;

43 (b) Requirements and methods for addressing the rights and
44 needs of persons with diverse gender identities or expressions;



1 (c) Requirements and methods for restorative disciplinary
2 practices that align with the statewide framework for restorative
3 ~~justice~~ *approaches* if such a framework is developed pursuant to
4 NRS 388.1333; and

5 (d) A policy for use by school districts and schools to train
6 members of the governing body and all administrators, teachers and
7 all other personnel employed by the governing body. The policy
8 must include, without limitation:

9 (1) Training in the appropriate methods to facilitate positive
10 human relations among pupils by eliminating the use of
11 discrimination based on race, bullying and cyber-bullying so that
12 pupils may realize their full academic and personal potential;

13 (2) Training in methods to prevent, identify and report
14 incidents of discrimination based on race, bullying and cyber-
15 bullying;

16 (3) Training concerning the needs of persons with diverse
17 gender identities or expressions;

18 (4) Training concerning the needs of pupils with disabilities
19 and pupils with autism spectrum disorder;

20 (5) Methods to promote a positive learning environment;

21 (6) Methods to improve the school environment in a manner
22 that will facilitate positive human relations among pupils; and

23 (7) Methods to teach skills to pupils so that the pupils are
24 able to replace inappropriate behavior with positive behavior.

25 **Sec. 5.** NRS 388.1333 is hereby amended to read as follows:

26 388.1333 1. To the extent that money is available, the
27 Department shall develop a statewide framework for restorative
28 ~~justice~~ *approaches*. The statewide framework must, without
29 limitation:

30 (a) In accordance with NRS 392.472, establish standards for ~~a~~
31 ~~plan of action based on~~ restorative ~~justice~~ *approaches* to enable a
32 public school to address the unique needs of pupils enrolled in the
33 school;

34 (b) Provide for the identification of and address the needs of
35 homeless pupils, unaccompanied pupils or pupils in foster care;

36 (c) Address the occurrences of the suspension, expulsion or
37 removal of pupils from school that disproportionately affect pupils
38 who belong to a group of pupils listed in subsection 2 of
39 NRS 385A.250;

40 (d) Provide for the improvement of school climate, culture and
41 safety and pupil outcomes by providing information on, without
42 limitation:

43 (1) Multi-tiered systems of support;

44 (2) Early warning systems;

45 (3) Positive behavioral interventions and support;



- 1 (4) The provision of school social workers;
- 2 (5) Curriculum on social and emotional learning; and
- 3 (6) Trauma-informed practices; and

4 (e) Provide for training for teachers, administrators and other
5 school staff in:

- 6 (1) Child and adolescent development;
- 7 (2) Restorative ~~justice~~ *approaches*, including, without
8 limitation, positive behavioral interventions and support, conflict
9 resolution and de-escalation techniques; and
- 10 (3) Psychology, trauma and chronic stress, the effect of
11 trauma and chronic stress on pupils and learning and effective
12 responses to trauma and chronic stress.

13 2. The Department may apply for grants, gifts and donations of
14 money to carry out the objectives of the statewide framework for
15 restorative ~~justice~~ *approaches*.

16 3. As used in this section:

17 (a) "Foster care" has the meaning ascribed to it in 45 C.F.R. §
18 1355.20.

19 (b) "Homeless pupil" has the meaning ascribed to the term
20 "homeless children and youths" in 42 U.S.C. § 11434a(2).

21 (c) "Restorative ~~justice~~ *approaches*" has the meaning
22 ascribed to it in NRS 392.472.

23 (d) "Unaccompanied pupil" has the meaning ascribed to the
24 term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

25 **Sec. 6.** NRS 388.1351 is hereby amended to read as follows:

26 388.1351 1. Except as otherwise provided in NRS
27 388.13535, a teacher, administrator, coach or other staff member
28 who witnesses a violation of NRS 388.135 or receives information
29 that a violation of NRS 388.135 has occurred shall report the
30 violation to the administrator or his or her designee as soon as
31 practicable, but not later than a time during the same day on which
32 the teacher, administrator, coach or other staff member witnessed
33 the violation or received information regarding the occurrence of a
34 violation.

35 2. Except as otherwise provided in this subsection, upon
36 receiving a report required by subsection 1, the administrator or
37 designee shall immediately take any necessary action to stop the
38 discrimination based on race, bullying or cyber-bullying and ensure
39 the safety and well-being of the reported victim or victims of the
40 discrimination based on race, bullying or cyber-bullying and shall
41 begin an investigation into the report. If the administrator or
42 designee does not have access to the reported victim of the alleged
43 violation of NRS 388.135, the administrator or designee may wait
44 until the next school day when he or she has such access to take the
45 action required by this subsection.



1 3. The investigation conducted pursuant to subsection 2 must
2 include, without limitation:

3 (a) Except as otherwise provided in subsection 4, notification
4 provided by telephone, electronic mail or other electronic means or
5 provided in person, of the parents or guardians of all pupils directly
6 involved in the reported discrimination based on race, bullying or
7 cyber-bullying, as applicable, either as a reported aggressor or a
8 reported victim of the discrimination based on race, bullying or
9 cyber-bullying. The notification must be provided:

10 (1) If the discrimination based on race, bullying or cyber-
11 bullying is reported before the end of school hours on a school day,
12 before the school's administrative office closes on the day on which
13 the discrimination based on race, bullying or cyber-bullying is
14 reported; or

15 (2) If the discrimination based on race, bullying or cyber-
16 bullying was reported on a day that is not a school day, or after
17 school hours on a school day, before the school's administrative
18 office closes on the school day following the day on which the
19 discrimination based on race, bullying or cyber-bullying is reported.

20 (b) Interviews with all pupils whose parents or guardians must
21 be notified pursuant to paragraph (a) and with all such parents and
22 guardians.

23 4. If the contact information for the parent or guardian of a
24 pupil in the records of the school is not correct, a good faith effort to
25 notify the parent or guardian shall be deemed sufficient to meet the
26 requirement for notification pursuant to paragraph (a) of
27 subsection 3.

28 5. Except as otherwise provided in this subsection, an
29 investigation required by this section must be completed ~~[not later~~
30 ~~than 2] , to the greatest extent practicable, within 5~~ school days
31 after the administrator or designee receives a report required by
32 subsection 1. If extenuating circumstances prevent the administrator
33 or designee from completing the investigation required by this
34 section within ~~[2] 5~~ school days after making a good faith effort, ~~[4]~~
35 ~~2~~ additional school ~~[day] days~~ may be used to complete the
36 investigation. ~~[The time for completing an investigation into a report~~
37 ~~of cyber-bullying may also be extended to not more than 5 school~~
38 ~~days after the report is received with the consent of each reported~~
39 ~~victim of the cyber-bullying or, if a reported victim is under 18~~
40 ~~years of age and is not emancipated, the parent or guardian of the~~
41 ~~reported victim.]~~

42 6. An administrator or designee who conducts an investigation
43 required by this section shall complete a written report of the
44 findings and conclusions of the investigation. If a violation is found
45 to have occurred:



1 (a) The report must include recommendations concerning the
2 imposition of disciplinary action or other measures to be imposed as
3 a result of the violation, in accordance with the policy governing
4 disciplinary action adopted by the governing body. Subject to the
5 provisions of the Family Educational Rights and Privacy Act of
6 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant
7 thereto, the report must be made available, not later than 24 hours
8 after the completion of the written report, to all parents or guardians
9 who must be notified pursuant to paragraph (a) of subsection 3 as
10 part of the investigation; and

11 (b) Any action taken after the completion of the investigation to
12 address the discrimination based on race, bullying or cyber-bullying
13 must be based on restorative disciplinary practices and carried out in
14 a manner that causes the least possible disruption for the victim or
15 victims. When necessary, the administrator or ~~his or her~~ designee
16 shall give priority to ensuring the safety and well-being of the victim
17 or victims over any interest of the perpetrator or perpetrators when
18 determining the actions to take.

19 7. If a violation is found not to have occurred, information
20 concerning the incident must not be included in the record of the
21 reported aggressor.

22 8. Not later than 10 school days after receiving a report
23 required by subsection 1, the administrator or designee shall meet
24 with each reported victim of the discrimination based on race,
25 bullying or cyber-bullying to inquire about the well-being of the
26 reported victim and to ensure that the reported discrimination based
27 on race, bullying or cyber-bullying, as applicable, is not continuing.

28 9. To the extent that information is available, the administrator
29 or ~~his or her~~ designee shall provide a list of any resources that may
30 be available in the community to assist a pupil to each parent or
31 guardian of a pupil to whom notice was provided pursuant to this
32 section as soon as practicable. Such a list may include, without
33 limitation, resources available at no charge or at a reduced cost and
34 may be provided in person or by electronic or regular mail. If such a
35 list is provided, the administrator ~~[-his]~~ or ~~[her]~~ designee, or any
36 employee of the school or the school district is not responsible for
37 providing such resources to the pupil or ensuring the pupil receives
38 such resources.

39 10. The parent or guardian of a pupil involved in the reported
40 violation of NRS 388.135 may appeal a disciplinary decision of the
41 administrator or ~~his or her~~ designee, made against the pupil as a
42 result of the violation, in accordance with the policy governing
43 disciplinary action adopted by the governing body. Not later than 30
44 days after receiving a response provided in accordance with such a
45 policy, the parent or guardian may submit a complaint to the



1 Department. The Department shall consider and respond to the
2 complaint pursuant to procedures and standards prescribed in
3 regulations adopted by the Department.

4 11. If a violation of NRS 388.135 is found to have occurred,
5 the parent or guardian of a pupil who is a victim of discrimination
6 based on race, bullying or cyber-bullying may request that the board
7 of trustees of the school district in which the pupil is enrolled to
8 assign the pupil to a different school in the school district. Upon
9 receiving such a request, the board of trustees shall, in consultation
10 with the parent or guardian of the pupil, assign the pupil to a
11 different school.

12 12. A principal or his or her designee shall submit a monthly
13 report to the direct supervisor of the principal that includes for the
14 school the number of:

15 (a) Reports received pursuant to subsection 1 concerning
16 incidents of bullying or cyber-bullying;

17 (b) Reports received pursuant to subsection 1 concerning
18 incidents of discrimination based on race;

19 (c) Times in which a violation of NRS 388.135 is found to have
20 occurred; and

21 (d) Times in which no violation of NRS 388.135 is found to
22 have occurred.

23 13. ~~[A direct supervisor who receives a monthly report~~
24 ~~pursuant to subsection 12 shall, each calendar quarter, submit a~~
25 ~~report to the Office for a Safe and Respectful Learning Environment~~
26 ~~that includes, for the schools for which the direct supervisor has~~
27 ~~received a monthly report in the calendar quarter and categorized by~~
28 ~~types of incidents and the demographics identified in subsection 1 of~~
29 ~~NRS 388.1235, the:~~

30 ~~—(a) Total number of reports received pursuant to subsection 1~~
31 ~~concerning bullying or cyber-bullying;~~

32 ~~—(b) Total number of reports received pursuant to subsection 1~~
33 ~~concerning incidents of discrimination based on race;~~

34 ~~—(c) Number of times in which a violation of NRS 388.135 is~~
35 ~~found to have occurred; and~~

36 ~~—(d) Number of times in which no violation of NRS 388.135 is~~
37 ~~found to have occurred.~~

38 ~~—14. The Office for a Safe and Respectful Learning~~
39 ~~Environment, in consultation with the direct supervisor of a~~
40 ~~principal, shall, after reviewing a report submitted pursuant to~~
41 ~~subsection 12 or 13, as applicable, make any recommendations~~
42 ~~based on identified trends and patterns the Office determines to be~~
43 ~~appropriate regarding interventions or training to address~~
44 ~~discrimination based on race, bullying and cyber-bullying at the~~
45 ~~school.~~



1 ~~—15.]~~ School hours and school days are determined for the
2 purposes of this section by the schedule established by the
3 governing body for the school.

4 ~~[16.]~~ 14. The provisions of this section must not be construed
5 to place any limit on the time within which an investigation
6 concerning any alleged act that constitutes sexual assault must be
7 completed.

8 **Sec. 7.** NRS 388A.495 is hereby amended to read as follows:

9 388A.495 1. A governing body of a charter school shall
10 adopt:

11 (a) Written rules of behavior required of and prohibited for
12 pupils attending the charter school; and

13 (b) Appropriate punishments for violations of the rules.

14 2. If suspension or expulsion of a pupil is used as a punishment
15 for a violation of the rules, the charter school shall ensure that,
16 before the suspension or expulsion, the pupil and, if the pupil is
17 under 18 years of age, the parent or guardian of the pupil, has been
18 given notice of the charges against him or her, an explanation of the
19 evidence and an opportunity for a hearing. *Before a pupil is*
20 *suspended or expelled, the charter school shall consider whether*
21 *restorative approaches should be used as an alternative or in*
22 *addition to suspension or expulsion.* If a pupil is suspended or
23 expelled, the pupil or, if the pupil is under 18 years of age, the
24 parent or guardian of the pupil may appeal the suspension or
25 expulsion in accordance with the provisions of NRS 392.4671. The
26 charter school shall ensure that a pupil who is suspended or expelled
27 and is appealing the suspension or expulsion or a pupil who is being
28 considered for suspension or expulsion continues to attend school
29 and receives an appropriate education in the least restrictive
30 environment possible as required by NRS 392.4673. The provisions
31 of chapter 241 of NRS do not apply to any hearing or proceeding
32 conducted pursuant to this section. Such a hearing or proceeding
33 must be closed to the public.

34 3. ~~[A pupil who is at least 11 years of age and who poses a~~
35 ~~continuing danger to persons or property or an ongoing threat of~~
36 ~~disrupting the academic process, who is selling or distributing any~~
37 ~~controlled substance or who is found to be in possession of a~~
38 ~~dangerous weapon as provided in NRS 392.466 may be removed~~
39 ~~from the charter school only after the charter school has made a~~
40 ~~reasonable effort to complete a plan of action based on restorative~~
41 ~~justice with the pupil in accordance with the provisions of NRS~~
42 ~~392.466 and 392.467.~~

43 ~~—4.]~~ A pupil with a disability who is at least 11 years of age and
44 who is enrolled in a charter school may, in accordance with the
45 procedural policy adopted by the governing body of the charter



1 school for such matters and only after the governing body or its
2 designee has reviewed the circumstances and determined that the
3 action is in compliance with the Individuals with Disabilities
4 Education Act, 20 U.S.C. §§ 1400 et seq., be:

5 (a) Suspended from the charter school pursuant to this section
6 for not more than 5 days for each occurrence of proscribed conduct.

7 (b) Expelled from school pursuant to this section.

8 (c) Permanently expelled from school pursuant to this section.

9 ~~15.1~~ **4.** A copy of the rules of behavior, prescribed punishments
10 and procedures to be followed in imposing punishments must be:

11 (a) Distributed to each pupil at the beginning of the school year
12 and to each new pupil who enters school during the year.

13 (b) Available for public inspection at the charter school.

14 ~~16.1~~ **5.** The governing body of a charter school may adopt rules
15 relating to the truancy of pupils who are enrolled in the charter
16 school if the rules are at least as restrictive as the provisions
17 governing truancy set forth in NRS 392.130 to 392.220, inclusive. If
18 a governing body adopts rules governing truancy, it shall include the
19 rules in the written rules adopted by the governing body pursuant to
20 subsection 1.

21 ~~17.1~~ **6.** As used in this section:

22 (a) "Expel" or "expulsion" has the meaning ascribed to it in
23 NRS 392.4603.

24 (b) "Permanently expelled" means the disciplinary removal of a
25 pupil from the school in which the pupil is currently enrolled:

26 (1) Except as otherwise provided in subparagraph (2),
27 without the possibility of returning to the school in which the pupil
28 is currently enrolled or another public school within the school
29 district; and

30 (2) With the possibility of enrolling in a program or public
31 school for alternative education for pupils who are expelled or
32 permanently expelled after being permanently expelled.

33 (c) "Pupil with a disability" has the meaning ascribed to it in
34 NRS 388.417.

35 (d) *"Restorative approaches" has the meaning ascribed to it in*
36 *NRS 392.472.*

37 (e) "Suspend" or "suspension" has the meaning ascribed to it in
38 NRS 392.4607.

39 **Sec. 8.** NRS 388C.150 is hereby amended to read as follows:

40 388C.150 1. The governing body of a university school for
41 profoundly gifted pupils shall adopt:

42 (a) Written rules of behavior for pupils enrolled in the university
43 school, including, without limitation, prohibited acts; and

44 (b) Appropriate punishments for violations of the rules.



1 2. If suspension or expulsion of a pupil is used as a punishment
2 for a violation of the rules, the university school for profoundly
3 gifted pupils shall ensure that, before the suspension or expulsion,
4 the pupil has been given notice of the charges against him or her, an
5 explanation of the evidence and an opportunity for a hearing. *Before*
6 *a pupil is suspended or expelled, the university school shall*
7 *consider whether restorative approaches should be used as an*
8 *alternative or in addition to suspension or expulsion.* If a pupil is
9 suspended or expelled, the pupil or, if the pupil is under 18 years of
10 age, the parent or guardian of the pupil may appeal the suspension
11 or expulsion in accordance with the provisions of NRS 392.4671.
12 The university school shall ensure that a pupil who is suspended or
13 expelled and is appealing the suspension or expulsion or a pupil who
14 is being considered for suspension or expulsion continues to attend
15 school and receives an appropriate education in the least restrictive
16 environment possible as required by NRS 392.4673. The provisions
17 of chapter 241 of NRS do not apply to any hearing or proceeding
18 conducted pursuant to this section. Such a hearing or proceeding
19 must be closed to the public.

20 3. ~~[A pupil who is at least 11 years of age and who poses a~~
21 ~~continuing danger to persons or property or an ongoing threat of~~
22 ~~disrupting the academic process, who is selling or distributing any~~
23 ~~controlled substance or who is found to be in possession of a~~
24 ~~dangerous weapon as provided in NRS 392.466 may be removed~~
25 ~~only after the university school for profoundly gifted pupils has~~
26 ~~made a reasonable effort to complete a plan of action based on~~
27 ~~restorative justice with the pupil in accordance with the provisions~~
28 ~~of NRS 392.466 and 392.467.~~

29 ~~—4.]~~ A pupil with a disability who is at least 11 years of age and
30 who is enrolled in a university school for profoundly gifted pupils
31 may, in accordance with the procedural policy adopted by the
32 governing body of the university school for such matters and only
33 after the governing body or its designee has reviewed the
34 circumstances and determined that the action is in compliance with
35 the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400
36 et seq., be:

37 (a) Suspended from the university school pursuant to this
38 section for not more than 5 days for each occurrence of proscribed
39 conduct.

40 (b) Expelled from school pursuant to this section.

41 (c) Permanently expelled from school pursuant to this section.

42 ~~[5.]~~ 4. A copy of the rules of behavior, prescribed punishments
43 and procedures to be followed in imposing punishments must be:



1 (a) Distributed to each pupil at the beginning of the school year
2 and to each new pupil who enters the university school for
3 profoundly gifted pupils during the year.

4 (b) Available for public inspection at the university school.

5 ~~[6.]~~ **5.** The governing body of a university school for
6 profoundly gifted pupils may adopt rules relating to the truancy of
7 pupils who are enrolled in the university school if the rules are at
8 least as restrictive as the provisions governing truancy set forth in
9 NRS 392.130 to 392.220, inclusive. If the governing body adopts
10 rules governing truancy, it shall include the rules in the written rules
11 adopted by the governing body pursuant to subsection 1.

12 ~~[7.]~~ **6.** As used in this section:

13 (a) "Expel" or "expulsion" has the meaning ascribed to it in
14 NRS 392.4603.

15 (b) "Permanently expelled" means the disciplinary removal of a
16 pupil from the school in which the pupil is currently enrolled:

17 (1) Except as otherwise provided in subparagraph (2),
18 without the possibility of returning to the school in which the pupil
19 is currently enrolled or another public school within the school
20 district; and

21 (2) With the possibility of enrolling in a program or public
22 school for alternative education for pupils who are expelled or
23 permanently expelled after being permanently expelled.

24 (c) "Pupil with a disability" has the meaning ascribed to it in
25 NRS 388.417.

26 (d) *"Restorative approaches" has the meaning ascribed to it in*
27 *NRS 392.472.*

28 (e) "Suspend" or "suspension" has the meaning ascribed to it in
29 NRS 392.4607.

30 **Sec. 9.** NRS 389.167 is hereby amended to read as follows:

31 389.167 1. A pupil enrolled at a public school must be
32 allowed to apply one or more credits toward the total number of
33 credits required for graduation from high school if the pupil
34 successfully completes the number of hours in a work-based
35 learning program required by regulation of the State Board to earn
36 such credits. Any credits earned for successful completion of a
37 work-based learning program must be applied toward the pupil's
38 elective course credits and not toward a course that is required for
39 graduation from high school.

40 2. The board of trustees of a school district or the governing
41 body of a charter school may offer a work-based learning program
42 upon application to and with the approval of the ~~[State Board.]~~
43 *Superintendent of Public Instruction.* An application to offer a
44 work-based learning program must include, without limitation:



1 (a) The fields, trades or occupations in which a work-based
2 learning program will be offered.

3 (b) The qualifications of a pupil to participate in the work-based
4 learning program. Such qualifications must allow a majority of
5 pupils to be eligible to participate in the work-based learning
6 program.

7 (c) A description of the process that will be used by pupils to
8 apply to participate in a work-based learning program.

9 (d) A description of the manner in which participation in a
10 work-based learning program and completion of the requirements of
11 a work-based learning program will be verified.

12 (e) A description of the manner in which the performance of a
13 pupil who participates in the work-based learning program will be
14 evaluated, which must include, without limitation, an on-site
15 evaluation of the performance of the pupil.

16 3. Upon approval by the ~~[State Board]~~ *Superintendent of*
17 *Public Instruction* of an application to offer a work-based learning
18 program submitted pursuant to subsection 2, the board of trustees or
19 the governing body shall:

20 (a) Designate an employee of the school district or charter
21 school, as applicable, to serve as a work-based learning coordinator
22 to coordinate and oversee work-based learning programs. Such an
23 employee must ensure that each business, agency or organization
24 that will offer employment and supervision of a pupil as part of the
25 work-based learning program is suitable for participation in a work-
26 based learning program.

27 (b) Establish and maintain a list of businesses, agencies and
28 organizations that have been found suitable by the work-based
29 learning coordinator pursuant to paragraph (a).

30 4. To receive approval from the ~~[State Board]~~ *Superintendent*
31 *of Public Instruction* to offer a work-based learning program, the
32 work-based learning program must include, without limitation,
33 requirements that:

34 (a) A detailed training agreement and training plan be completed
35 for each pupil participating in the work-based training program for
36 credit that identifies the specific tasks in which the pupil will
37 participate that will develop competency of the pupil in the
38 workplace;

39 (b) A pupil participating in the work-based learning program be
40 allowed to leave the public school in which he or she is enrolled
41 during the school day to participate in such a program; and

42 (c) Participation by a pupil in the work-based learning program
43 will develop a broad range of skills and will allow a pupil to focus
44 on his or her chosen career pathway.



1 5. A school district or charter school may allow a pupil who
2 successfully completes a work-based learning program to earn dual
3 credit for participation in the work-based learning program.

4 6. On or before January 15 of each odd-numbered year, the
5 board of trustees of a school district and the governing body of a
6 charter school that offers a work-based learning program shall
7 prepare a report concerning the manner in which the work-based
8 learning program has been carried out and submit the report to the
9 State Board and the Legislature. The report must include, without
10 limitation:

11 (a) The number of pupils participating in the work-based
12 learning program; and

13 (b) The types of work-based learning offered through the work-
14 based learning program.

15 7. The number of pupils participating in the work-based
16 learning program reported pursuant to paragraph (a) of subsection 6
17 must be disaggregated on the basis of the following characteristics:

18 (a) Pupils who are American Indian or Alaska Native, Asian,
19 Black or African American, Hispanic or Latino, Native Hawaiian or
20 Pacific Islander, white or two or more races;

21 (b) Gender of pupils;

22 (c) Pupils who are migrants; and

23 (d) Pupils who are members of special populations, as defined in
24 20 U.S.C. § 2302(48).

25 **Sec. 10.** NRS 391.690 is hereby amended to read as follows:

26 391.690 1. If a postprobationary teacher receives an
27 evaluation designating his or her overall performance as developing
28 or ineffective, the postprobationary teacher must receive one
29 evaluation in the immediately succeeding school year which is
30 based in part upon three observation cycles which must occur in
31 accordance with the observation schedule set forth in subsection 1
32 of NRS 391.685. If a postprobationary teacher receives evidence
33 from the first two observation cycles during the school year
34 indicating that, unless his or her performance improves, his or her
35 overall performance may be rated as developing or ineffective on
36 the evaluation, the postprobationary teacher may request that the
37 third observation cycle be conducted by another administrator. If a
38 postprobationary teacher requests that his or her third observation
39 cycle be conducted by another administrator, that administrator must
40 be:

41 (a) Employed by the school district or, if the school district has
42 five or fewer administrators, employed by another school district in
43 this State; and

44 (b) Selected by the postprobationary teacher from a list of three
45 candidates submitted by the superintendent.



1 2. If a postprobationary teacher receives an evaluation
2 designating his or her overall performance as effective, the
3 postprobationary teacher must receive one evaluation in the
4 immediately succeeding school year. The evaluation must be based
5 in part upon at least one scheduled observation cycle, which must
6 occur within 120 days after the first day of instruction of the school
7 year.

8 3. If a postprobationary teacher receives an evaluation
9 designating his or her overall performance as highly effective for 2
10 consecutive school years, the postprobationary teacher must:

11 (a) Participate in one observation cycle in the school year
12 immediately following the school year in which the
13 postprobationary teacher receives a second consecutive evaluation
14 designating his or her performance as highly effective. ~~[-and]~~ *The*
15 *postprobationary teacher may receive one evaluation based in part*
16 *upon the observation cycle conducted pursuant to this paragraph:*

17 (1) *Upon request of the postprobationary teacher; or*

18 (2) *At the discretion of the administrator who conducts the*
19 *observation cycle.*

20 (b) Receive one evaluation in the school year immediately
21 following the school year in which the postprobationary teacher
22 participated in the observation cycle pursuant to paragraph (a). The
23 evaluation must be based in part upon at least one scheduled
24 observation cycle, which must occur within 120 days after the first
25 day of instruction of that school year.

26 **Sec. 11.** NRS 391.710 is hereby amended to read as follows:

27 391.710 1. If a postprobationary administrator receives an
28 evaluation designating his or her overall performance as developing
29 or ineffective, the postprobationary administrator must receive one
30 evaluation in the immediately succeeding school year which is
31 based in part upon three observation cycles which must occur in
32 accordance with the observation schedule set forth in subsection 1
33 of NRS 391.705. If a postprobationary administrator receives
34 evidence from the first two observation cycles indicating that, unless
35 his or her performance improves, his or her overall performance
36 may be rated as developing or ineffective on the evaluation, the
37 postprobationary administrator may request that the third
38 observation cycle be conducted by another administrator. If a
39 postprobationary administrator requests that his or her third
40 observation cycle be conducted by another administrator, that
41 administrator must be:

42 (a) Employed by the school district or, if the school district has
43 five or fewer administrators, employed by another school district in
44 this State; and



1 (b) Selected by the postprobationary administrator from a list of
2 three candidates submitted by the superintendent.

3 2. If a postprobationary administrator receives an evaluation
4 designating his or her overall performance as effective, the
5 postprobationary administrator must receive one evaluation in the
6 immediately succeeding school year. The evaluation must be based
7 in part upon at least one scheduled observation cycle, which must
8 occur within 120 days after the first day of instruction of the school
9 year.

10 3. If a postprobationary administrator receives an evaluation
11 designating his or her overall performance as highly effective for 2
12 consecutive school years, the postprobationary administrator must:

13 (a) Participate in one observation cycle in the school year
14 immediately following the school year in which the
15 postprobationary administrator receives a second consecutive
16 evaluation designating his or her performance as highly effective. ~~It~~
17 ~~and~~ *The postprobationary administrator may receive one*
18 *evaluation based in part upon the observation cycle conducted*
19 *pursuant to this paragraph:*

20 (1) *Upon the request of the postprobationary administrator;*
21 *or*

22 (2) *At the discretion of the administrator who conducts the*
23 *observation cycle.*

24 (b) Receive one evaluation in the school year immediately
25 following the school year in which the postprobationary
26 administrator participated in the observation cycle pursuant to
27 paragraph (a). The evaluation must be based in part upon at least
28 one scheduled observation cycle, which must occur within 120 days
29 after the first day of instruction of that school year.

30 **Sec. 12.** NRS 392.040 is hereby amended to read as follows:

31 392.040 1. Except as otherwise provided by law, each parent,
32 custodial parent, guardian or other person in the State of Nevada
33 having control or charge of any child between the ages of 7 and 18
34 years shall send the child to a public school during all the time the
35 public school is in session in the school district in which the child
36 resides unless the child has graduated from high school.

37 2. A child who is 5 years of age on or before ~~the first day of~~
38 *August 1 preceding* a school year may be admitted to kindergarten
39 at the beginning of that school year, and the child's enrollment must
40 be counted for purposes of apportionment. If a child is not 5 years of
41 age on or before ~~the first day of~~ *August 1 preceding* a school year,
42 the child must not be admitted to kindergarten.

43 3. Except as otherwise provided in subsection 4, a child who is
44 6 years of age on or before ~~the first day of~~ *August 1 preceding* a
45 school year must:



1 (a) If the child has not completed kindergarten, *undergo an*
2 *assessment by the school district or charter school, as applicable,*
3 *pursuant to subsection 7 to determine whether the child is*
4 *prepared developmentally to be admitted to the first grade. If the*
5 *school district or charter school, as applicable, determines that the*
6 *child is prepared developmentally, the child must be admitted to*
7 *the first grade at the beginning of that school year. If the school*
8 *district or charter school, as applicable, determines that the child*
9 *is not so prepared, he or she must* be admitted to kindergarten at
10 the beginning of that school year . ~~[-or]~~

11 (b) If the child has completed kindergarten, be admitted to the
12 first grade at the beginning of that school year,
13 ↪ and the child's enrollment must be counted for purposes of
14 apportionment. If a child is not 6 years of age on or before ~~the first~~
15 ~~day of~~ *August 1 preceding* a school year, the child must not be
16 admitted to the first grade until the beginning of the school year
17 following the child's sixth birthday.

18 4. The parents, custodial parent, guardian or other person
19 within the State of Nevada having control or charge of a child who
20 is 6 years of age on or before ~~the first day of~~ *August 1 preceding*
21 a school year may elect for the child not to attend kindergarten or the
22 first grade during that year. The parents, custodial parent, guardian
23 or other person who makes such an election shall file with the board
24 of trustees of the appropriate school district a waiver in a form
25 prescribed by the board.

26 5. Whenever a child who is 6 years of age is enrolled in a
27 public school, each parent, custodial parent, guardian or other
28 person in the State of Nevada having control or charge of the child
29 shall send the child to the public school during all the time the
30 school is in session. If the board of trustees of a school district has
31 adopted a policy prescribing a minimum number of days of
32 attendance for pupils enrolled in kindergarten or first grade pursuant
33 to NRS 392.122, the school district shall provide to each parent and
34 legal guardian of a pupil who elects to enroll his or her child in
35 kindergarten or first grade a written document containing a copy of
36 that policy and a copy of the policy of the school district concerning
37 the withdrawal of pupils from kindergarten or first grade. Before the
38 child's first day of attendance at a school, the parent or legal
39 guardian shall sign a statement on a form provided by the school
40 district acknowledging that he or she has read and understands the
41 policy concerning attendance and the policy concerning withdrawal
42 of pupils from kindergarten or first grade. The parent or legal
43 guardian shall comply with the applicable requirements for
44 attendance. This requirement for attendance does not apply to any



1 child under the age of 7 years who has not yet been enrolled or has
2 been formally withdrawn from enrollment in public school.

3 6. A child who is 7 years of age on or before ~~the first day of~~
4 *August 1 preceding* a school year must:

5 (a) If the child has completed ~~kindergarten and~~ the first grade,
6 be admitted to the second grade ~~at the beginning of that school~~
7 *year.*

8 (b) ~~If the child has completed kindergarten, be admitted to the~~
9 ~~first grade.~~

10 ~~—(c) If the parents, custodial parent, guardian or other person in~~
11 ~~the State of Nevada having control or charge of the child waived the~~
12 ~~child's attendance from kindergarten pursuant to subsection 4,~~
13 *child has not completed first grade*, undergo an assessment by the
14 *school district or charter school, as applicable*, pursuant to
15 subsection 7 to determine whether the child is prepared
16 developmentally to be admitted to the ~~first~~ *second* grade. If the
17 *school district or charter school, as applicable*, determines that the
18 child is prepared developmentally, the child must be admitted to
19 the ~~first~~ *second* grade ~~at the beginning of that school year.~~
20 If the *school district or charter school, as applicable*, determines
21 that the child is not so prepared, he or she must be admitted to
22 ~~kindergarten.~~ *the first grade at the beginning of that school year.*

23 ↪ The enrollment of any child pursuant to this subsection must be
24 counted for apportionment purposes.

25 7. Each school district *and charter school* shall prepare and
26 administer before the beginning of each school year a
27 developmental screening test to a child:

28 (a) *Who is 6 years of age on or before August 1 preceding a*
29 *school year and who has not completed kindergarten, to determine*
30 *whether the child is prepared developmentally to be admitted to the*
31 *first grade; or*

32 (b) Who is 7 years of age on or before ~~the first day of the next~~
33 *August 1 preceding a* school year ~~at~~ and

34 ~~(b) Whose parents waived the child's attendance from~~
35 ~~kindergarten pursuant to subsection 4,~~
36 ~~↪~~ *who has not completed first grade*, to determine whether the
37 child is prepared developmentally to be admitted to the ~~first~~
38 *second* grade.

39 ↪ The results of the test must be made available to the parents,
40 custodial parent, guardian or other person within the State of
41 Nevada having control or charge of the child.

42 8. Except as otherwise provided in subsection 9, a child who
43 becomes a resident of this State after completing kindergarten or
44 beginning first grade in another state in accordance with the laws of
45 that state may be admitted to the grade the child was attending or



1 would be attending had he or she remained a resident of the other
2 state regardless of his or her age, unless the board of trustees of the
3 school district determines that the requirements of this section are
4 being deliberately circumvented.

5 9. Pursuant to the provisions of NRS 388F.010, a child who
6 transfers to a school in this State from a school outside this State
7 because of the military transfer of the parent or legal guardian of the
8 child must be admitted to:

9 (a) The grade, other than kindergarten, the child was attending
10 or would be attending had he or she remained a resident of the other
11 state, regardless of the child's age.

12 (b) Kindergarten, if the child was enrolled in kindergarten in
13 another state in accordance with the laws of that state, regardless of
14 the child's age.

15 10. As used in this section, "kindergarten" includes:

16 (a) A kindergarten established by the board of trustees of a
17 school district pursuant to NRS 388.060;

18 (b) A kindergarten established by the governing body of a
19 charter school; and

20 (c) An authorized program of instruction for kindergarten
21 offered in a child's home pursuant to NRS 388.060.

22 **Sec. 13.** NRS 392.4644 is hereby amended to read as follows:

23 392.4644 1. The board of trustees of each school district shall
24 establish a plan to provide for the restorative discipline of pupils and
25 on-site review of disciplinary decisions. The plan must:

26 (a) Be developed with the input and participation of teachers,
27 school administrators and other educational personnel and support
28 personnel who are employed by the school district, pupils who are
29 enrolled in schools within the school district and the parents and
30 guardians of pupils who are enrolled in schools within the school
31 district.

32 (b) Be consistent with the written rules of behavior prescribed in
33 accordance with NRS 392.463.

34 (c) Include, without limitation, provisions designed to address
35 the specific disciplinary needs and concerns of each school within
36 the school district.

37 (d) Provide restorative disciplinary practices which include,
38 without limitation:

- 39 (1) Holding a pupil accountable for his or her behavior;
40 (2) Restoration or remedies related to the behavior of the
41 pupil;
42 (3) Relief for any victim of the pupil; and
43 (4) Changing the behavior of the pupil.



1 (e) Provide for the temporary removal of a pupil from a
2 classroom or other premises of a public school in accordance with
3 NRS 392.4645.

4 (f) Provide for the placement of a pupil in a different school
5 within the school district in accordance with NRS 392.466.

6 (g) Include the names of any members of a committee to review
7 the temporary alternative placement of pupils required by
8 NRS 392.4647.

9 (h) Be in accordance with the statewide framework for
10 restorative ~~justice~~ *approaches* developed pursuant to NRS
11 388.1333, including, without limitation, by addressing the
12 occurrences of the suspension, expulsion or removal of pupils from
13 school that disproportionately affect pupils who belong to a group of
14 pupils listed in subsection 2 of NRS 385A.250.

15 (i) Be posted on the Internet website maintained by the school
16 district.

17 2. On or before September 15 of each year, the principal of
18 each public school shall:

19 (a) Review the plan established by subsection 1 in consultation
20 with the teachers, school administrators and other educational
21 personnel and support personnel who are employed at the school
22 and the parents and guardians of pupils and the pupils who are
23 enrolled in the school;

24 (b) Determine whether and to what extent the occurrences of the
25 suspension, expulsion or removal of pupils from school
26 disproportionately affect pupils who belong to a group of pupils
27 listed in subsection 2 of NRS 385A.250;

28 (c) Based upon the review, recommend to the board of trustees
29 of the school district revisions to the plan, as recommended by the
30 teachers, school administrators and other educational personnel and
31 support personnel and the parents and guardians of pupils and the
32 pupils who are enrolled in the school, if necessary;

33 (d) Post a copy of the plan or the revised plan, as provided by
34 the school district, on the Internet website maintained by the school;
35 and

36 (e) Distribute to each teacher, school administrator and all
37 educational support personnel who are employed at or assigned to
38 the school a written or electronic copy of the plan or the revised
39 plan, as provided by the school district.

40 3. On or before November 15 of each year, the board of
41 trustees of each school district shall:

42 (a) Submit a written report to the Superintendent of Public
43 Instruction that reports the progress of each school within the
44 district in complying with the requirements of this section,
45 including, without limitation, addressing the occurrences of the



1 suspension, expulsion or removal of pupils from school that
2 disproportionately affect pupils who belong to a group of pupils
3 listed in subsection 2 of NRS 385A.250; and

4 (b) Post a copy of the report on the Internet website maintained
5 by the school district.

6 4. As used in this section, “restorative ~~justice~~ *approaches*”
7 has the meaning ascribed to it in NRS 392.472.

8 **Sec. 14.** NRS 392.466 is hereby amended to read as follows:

9 392.466 1. Except as otherwise provided in this section, any
10 pupil who commits a battery which results in the bodily injury of an
11 employee of the school or who sells or distributes any controlled
12 substance while on the premises of any public school, at an activity
13 sponsored by a public school or on any school bus and who is at
14 least 11 years of age shall meet with the school and his or her parent
15 or legal guardian. ~~{The school shall provide a plan of action based~~
16 ~~on restorative justice to the parent or legal guardian of the pupil or,~~
17 ~~if the pupil is an unaccompanied pupil, the pupil.}~~ The pupil may be
18 suspended or expelled from the school, in which case the pupil
19 shall:

20 (a) Enroll in a private school pursuant to chapter 394 of NRS or
21 be homeschooled; or

22 (b) Enroll in a program of independent study provided pursuant
23 to NRS 389.155 for pupils who have been suspended or expelled
24 from public school or a program of distance education provided
25 pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies
26 for enrollment and is accepted for enrollment in accordance with the
27 requirements of the applicable program.

28 *↳ Before a pupil is suspended or expelled from the school, the*
29 *school shall consider the use of restorative approaches as an*
30 *alternative or in addition to suspension or expulsion.*

31 2. An employee who is a victim of a battery which results in
32 the bodily injury of an employee of the school may appeal to the
33 school ~~{the plan of action provided pursuant to subsection 1}~~ if:

34 (a) The employee feels any *disciplinary* actions taken ~~{pursuant~~
35 ~~to such plan}~~ are inappropriate; and

36 (b) For a pupil with a disability who committed the battery, the
37 board of trustees of the school district or its designee has reviewed
38 the circumstances and determined that such an appeal is in
39 compliance with the Individuals with Disabilities Education Act, 20
40 U.S.C. §§ 1400 et seq.

41 3. Except as otherwise provided in this section, any pupil of
42 any age, including, without limitation, a pupil with a disability, who
43 is found in possession of a firearm or a dangerous weapon while on
44 the premises of any public school, at an activity sponsored by a
45 public school or on any school bus must, for the first occurrence, be



1 expelled from the school for a period of not less than 1 year,
2 although the pupil may be placed in another kind of school for a
3 period not to exceed the period of the expulsion. For a second
4 occurrence, the pupil must be permanently expelled from the school.

5 4. If, *after a meeting conducted pursuant to subsection 1*, a
6 school *concludes that it* is unable to retain a pupil in the school
7 ~~[pursuant to subsection 1]~~ for the safety of any person or because
8 doing so would not be in the best interest of the pupil, the pupil may
9 be suspended, expelled or placed in another school. If a pupil is
10 placed in another school, the current school of the pupil shall
11 explain what services will be provided to the pupil at the new school
12 that the current school is unable to provide to address the specific
13 needs and behaviors of the pupil. The school district of the current
14 school of the pupil shall coordinate with the new school to ~~create a~~
15 ~~plan of action based on restorative justice for the pupil]~~ *determine if*
16 *any restorative approaches should be implemented* and to ensure
17 that any resources required to ~~execute]~~ *implement* the ~~[plan of~~
18 ~~action based on]~~ restorative ~~[justice]~~ *approaches* are available at the
19 new school.

20 5. Except as otherwise provided in this section, if a pupil is
21 deemed a habitual disciplinary problem pursuant to NRS 392.4655
22 ~~[]~~ *and* the pupil is at least 11 years of age, ~~[and the school has~~
23 ~~made a reasonable effort to complete a plan of action based on~~
24 ~~restorative justice with the pupil,]~~ based on the seriousness of the
25 acts which were the basis for the discipline, the pupil may be:

26 (a) Suspended from the school; or

27 (b) Expelled from the school under extraordinary circumstances
28 as determined by the principal of the school.

29 6. If the pupil is expelled, or the period of the pupil's
30 suspension is for one school semester, the pupil must:

31 (a) Enroll in a private school pursuant to chapter 394 of NRS or
32 be homeschooled; or

33 (b) Enroll in a program of independent study provided pursuant
34 to NRS 389.155 for pupils who have been suspended or expelled
35 from public school or a program of distance education provided
36 pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies
37 for enrollment and is accepted for enrollment in accordance with the
38 requirements of the applicable program.

39 7. The superintendent of schools of a school district may, for
40 good cause shown in a particular case in that school district, allow a
41 modification to a suspension or expulsion pursuant to subsections 1
42 to 5, inclusive, if such modification is set forth in writing. The
43 superintendent shall allow such a modification if the superintendent
44 determines that ~~[a plan of action based on]~~ restorative ~~[justice]~~



1 *approaches* may be used successfully **H** *as an alternative to the*
2 *suspension or expulsion.*

3 8. This section does not prohibit a pupil from having in his or
4 her possession a knife or firearm with the approval of the principal
5 of the school. A principal may grant such approval only in
6 accordance with the policies or regulations adopted by the board of
7 trustees of the school district.

8 9. Except as otherwise provided in this subsection and
9 subsection 3, a pupil who is less than 11 years of age must not be
10 permanently expelled from school. In extraordinary circumstances, a
11 school may request an exception to this subsection from the board of
12 trustees of the school district. A pupil who is at least 11 years of age
13 may be suspended, expelled or permanently expelled from school
14 pursuant to this section only after the board of trustees of the school
15 district or its designee has reviewed the circumstances and approved
16 this action in accordance with the procedural policy adopted by the
17 board for such issues.

18 10. Except as otherwise provided in subsection 3, a pupil with
19 a disability who is at least 11 years of age may, in accordance with
20 the procedural policy adopted by the board of trustees of the school
21 district for such matters and only after the board of trustees of the
22 school district or its designee has reviewed the circumstances and
23 determined that the action is in compliance with the Individuals with
24 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

25 (a) Suspended from school pursuant to this section for not more
26 than 5 days. Such a suspension may be imposed pursuant to this
27 paragraph for each occurrence of conduct proscribed by
28 subsection 1.

29 (b) Expelled from school pursuant to this section.

30 (c) Permanently expelled from school pursuant to this section.

31 11. A homeless pupil or a pupil in foster care who is at least 11
32 years of age may be suspended or expelled from school pursuant to
33 this section only if a determination is made that the behavior that led
34 to the consideration for suspension or expulsion was not caused by
35 homelessness or being in foster care. The person responsible for
36 making a determination of whether or not the behavior was caused
37 by homelessness or being in foster care shall presume that the
38 behavior was caused by homelessness or being in foster care unless
39 the person determines that the behavior was not caused by
40 homelessness or being in foster care pursuant to this subsection. A
41 determination that the behavior was not caused by homelessness
42 must be made in consultation with the local educational agency
43 liaison for homeless pupils designated in accordance with the
44 McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. §§
45 11301 et seq., or a contact person at a school, including, without



1 limitation, a school counselor or school social worker. A
2 determination that the behavior was not caused by being in foster
3 care must be made in consultation with an advocate for pupils in
4 foster care at the school in which the pupil is enrolled or the school
5 counselor of the pupil.

6 12. The provisions of chapter 241 of NRS do not apply to any
7 hearing or proceeding conducted pursuant to this section. Such
8 hearings or proceedings must be closed to the public.

9 13. As used in this section:

10 (a) "Battery" has the meaning ascribed to it in paragraph (a) of
11 subsection 1 of NRS 200.481.

12 (b) "Dangerous weapon" includes, without limitation, a
13 blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk
14 or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a
15 butterfly knife or any other knife described in NRS 202.350, a
16 switchblade knife as defined in NRS 202.265, or any other object
17 which is used, or threatened to be used, in such a manner and under
18 such circumstances as to pose a threat of, or cause, bodily injury to a
19 person.

20 (c) "Firearm" includes, without limitation, any pistol, revolver,
21 shotgun, explosive substance or device, and any other item included
22 within the definition of a "firearm" in 18 U.S.C. § 921, as that
23 section existed on July 1, 1995.

24 (d) "Foster care" has the meaning ascribed to it in 45 C.F.R. §
25 1355.20.

26 (e) "Homeless pupil" has the meaning ascribed to the term
27 "homeless children and youths" in 42 U.S.C. § 11434a(2).

28 (f) "Permanently expelled" means the disciplinary removal of a
29 pupil from the school in which the pupil is currently enrolled:

30 (1) Except as otherwise provided in subparagraph (2),
31 without the possibility of returning to the school in which the pupil
32 is currently enrolled or another public school within the school
33 district; and

34 (2) With the possibility of enrolling in a program or public
35 school for alternative education for pupils who are expelled or
36 permanently expelled after being permanently expelled.

37 (g) "Restorative ~~justice~~ *approaches*" has the meaning
38 ascribed to it in NRS 392.472.

39 (h) "Unaccompanied pupil" has the meaning ascribed to the
40 term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

41 14. The provisions of this section do not prohibit a pupil who is
42 suspended or expelled from enrolling in a charter school that is
43 designed exclusively for the enrollment of pupils with disciplinary
44 problems if the pupil is accepted for enrollment by the charter
45 school pursuant to NRS 388A.453 or 388A.456. Upon request, the



1 governing body of a charter school must be provided with access to
2 the records of the pupil relating to the pupil's suspension or
3 expulsion in accordance with applicable federal and state law before
4 the governing body makes a decision concerning the enrollment of
5 the pupil.

6 **Sec. 15.** NRS 392.472 is hereby amended to read as follows:

7 392.472 1. Except as otherwise provided in NRS 392.466
8 and to the extent practicable, a public school shall ~~[provide a plan of~~
9 ~~action based on restorative justice before]~~, *before* removing a pupil
10 from a classroom or other premises of the public school or
11 suspending or expelling a pupil from school ~~[.]~~, *consider the use of*
12 *restorative approaches as an alternative or in addition to removing*
13 *a pupil from a classroom or other premises of the public school or*
14 *suspending or expelling a pupil.*

15 2. The Department shall develop one or more examples of ~~[a~~
16 ~~plan of action which]~~ *disciplinary practices in which restorative*
17 *approaches are used as an alternative or in addition to removing a*
18 *pupil from a classroom or other premises of the public school or*
19 *suspending or expelling a pupil from school. Such disciplinary*
20 *practices* may include, without limitation:

- 21 (a) ~~[Positive behavioral interventions and support;~~
22 ~~—(b) A]~~ *The development of a* plan for behavioral intervention;
23 ~~[(e)]~~ (b) A referral to a team of student support;
24 ~~[(d)]~~ (c) A referral to an individualized education program
25 team;
26 ~~[(e)]~~ (d) A referral to appropriate community-based services;
27 ~~[and~~
28 ~~—(f)]~~ (e) A conference with the principal of the school or his or
29 her designee and any other appropriate personnel ~~[.]~~; *and*
30 (f) *Any other method for implementing restorative approaches.*

31 3. ~~[The Department may approve a plan of action based on~~
32 ~~restorative justice that meets the requirements of this section~~
33 ~~submitted by a public school.~~

34 ~~—4.]~~ The Department, in consultation with the Office for a Safe
35 and Respectful Learning Environment, shall post on its Internet
36 website a guidance document that includes, without limitation:

- 37 (a) A description of the statewide framework for restorative
38 ~~[justice]~~ *approaches* developed pursuant to NRS 388.1333 and the
39 requirements of this section and NRS 392.462;
40 (b) A timeline for implementation of the requirements of this
41 section and NRS 392.462 by a public school;
42 (c) One or more models of restorative ~~[justice]~~ *approaches* and
43 best practices relating to restorative ~~[justice:]~~ *approaches*;
44 (d) A curriculum for professional development relating to
45 restorative ~~[justice]~~ *approaches* and references for one or more



1 consultants or presenters qualified to provide additional information
2 or training relating to restorative ~~[justice;]~~ *approaches*; and

3 (e) One or more examples of ~~[a plan of action based on~~
4 ~~restorative justice]~~ *disciplinary practices* developed pursuant to
5 subsection 2.

6 ~~[5.]~~ **4.** As used in this section:

7 (a) “Individualized education program team” has the meaning
8 ascribed to it in 20 U.S.C. § 1414(d)(1)(B).

9 (b) “Restorative ~~[justice” means nonpunitive intervention and~~
10 ~~support provided by the school to a pupil to improve the behavior of~~
11 ~~the pupil and remedy any harm caused by the pupil.]~~ *approaches”:*

12 *(1) Means a relationship-focused student discipline model*
13 *that, without limitation:*

14 *(I) Is preventative and proactive;*

15 *(II) Emphasizes building strong relationships and*
16 *setting clear behavioral expectations that contribute to the well-*
17 *being of the school community;*

18 *(III) In response to behavior that violates the clear*
19 *behavioral expectations that contribute to the well-being of the*
20 *school community, focuses on accountability for any harm done*
21 *by such behavior; and*

22 *(IV) Addresses ways to repair the relationships affected*
23 *by the problem behavior with the voluntary participation of any*
24 *person who was harmed.*

25 *(2) May include, without limitation, conflict resolution,*
26 *mediation, peer mediation, circle processes, restorative*
27 *conferences, social emotional learning, trauma-informed care,*
28 *positive behavioral intervention supports, rehabilitation and de-*
29 *escalation techniques.*

30 **Sec. 16.** This act becomes effective on July 1, 2023.



ASSEMBLY BILL NO. 42—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to class sizes.
(BDR 34-276)

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

CONTAINS UNFUNDED MANDATE (§§ 3, 5)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to education; requiring annual reports of accountability for public schools to include information relating to requests for variances from prescribed maximum pupil-teacher ratios; making certain requirements relating to pupil-teacher ratios applicable to charter schools and university schools for profoundly gifted pupils; revising or prescribing the maximum pupil-teacher ratios for certain classes and grades; revising the procedure to request a variance from requirements concerning maximum pupil-teacher ratios; revising certain reporting requirements relating to pupil-teacher ratios; removing authorization for certain smaller school districts to comply with the alternative maximum pupil-teacher ratios; eliminating certain requirements relating to the distribution of money for the reduction of pupil-teacher ratios; requiring the development of certain guidance concerning the reduction of pupil-teacher ratios; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law prescribes the maximum ratio of pupils per teacher in classes
- 2 where core curriculum is taught in kindergarten and grades 1, 2 and 3. Existing law
- 3 requires any school district that includes one or more elementary schools which



4 exceed those maximum ratios or certain other maximum pupil-teacher ratios
5 approved by the Legislature to request a variance from the State Board of
6 Education for the next quarter of the school year. Existing law requires each school
7 district to submit to the State Board a plan to reduce teacher-pupil ratios within the
8 district. (NRS 388.700) Existing law requires the State Board to establish by
9 regulation maximum pupil-teacher ratios for each grade other than kindergarten and
10 grades 1, 2 and 3. (NRS 387.1234)

11 **Sections 3-9** of this bill make provisions relating to pupil-teacher ratios
12 additionally applicable to charter schools and university schools for profoundly
13 gifted pupils. **Section 5** of this bill makes requirements governing maximum pupil-
14 teacher ratios apply to each campus of a school that operates at different campuses.
15 **Section 5** also increases the maximum ratio of pupils per licensed teacher in classes
16 where core curriculum is taught: (1) from 16 to 1 to 18 to 1 in kindergarten; (2)
17 from 16 to 1 to 20 to 1 in grades 1 and 2; and (3) from 18 to 1 to 20 to 1 in grade 3.
18 **Section 5** additionally prescribes the maximum ratios of pupils per licensed teacher
19 in English language arts and mathematics of: (1) 25 to 1 in grades 4, 5 and 6; and
20 (2) 30 to 1 in grades 7-12. **Section 5** reduces from quarterly to annually the
21 frequency with which a school district, charter school or university school for
22 profoundly gifted pupils is required to request a variance. **Section 5** additionally
23 requires a school district, charter school or university school for profoundly gifted
24 pupils that is granted a variance to submit a report on or before April 15 explaining
25 the changes in the ratio of pupils per licensed teacher that occurred throughout the
26 school year. **Sections 5 and 9** of this bill revise various reporting requirements
27 concerning pupil-teacher ratios and requests for a variance from provisions
28 establishing maximum pupil-teacher ratios.

29 Existing law requires: (1) each board of trustees of a school district or sponsor
30 of a charter school to prepare an annual report of accountability for the schools
31 within the district or the charter schools sponsored by the sponsor, as applicable;
32 and (2) the State Board of Education to prepare an annual report of accountability
33 for the public schools in this State. (NRS 385A.070, 385A.400) **Sections 1 and 2** of
34 this bill require such reports to include certain information related to requests for
35 variances from requirements governing pupil-teacher ratios.

36 Existing law requires each school district to submit to the State Board a plan to
37 reduce the district's pupil-teacher ratio. (NRS 388.720) **Section 7** of this bill revises
38 this requirement to apply to each school district, charter school or university school
39 for profoundly gifted pupils that operates one or more schools or campuses for
40 which the pupil-teacher ratio exceeds a maximum pupil-teacher ratio prescribed by
41 **section 5**.

42 Existing law authorizes a school district in a county whose population is less
43 than 100,000 (currently all counties other than Clark and Washoe Counties) to
44 submit to the State Board a plan to comply with alternative pupil-teacher ratios,
45 which are larger than the pupil-teacher ratios that are otherwise required. (NRS
46 388.720) **Section 7** eliminates the ability for such a school district to comply with
47 such an alternative ratio, thereby requiring all school districts in this State to
48 comply with the same maximum pupil-teacher ratios. **Sections 3, 9 and 10** of this
49 bill remove references and other language relating to such alternative ratios.

50 Existing law requires the Department of Education to develop certain policies,
51 procedures and guidance concerning the reduction of class sizes and compliance
52 with prescribed pupil-teacher ratios. (NRS 388.723) **Section 8** of this bill requires
53 such guidance to include guidance concerning the use of money over which school
54 districts, charter schools and university schools for profoundly gifted pupils have
55 discretion for the purpose of reducing pupil-teacher ratios. **Section 8** also
56 eliminates requirements that the Department: (1) develop policies and procedures
57 for the distribution of money to each school district for the reduction of



58 pupil-teacher ratios; and (2) communicate with the board of trustees of each school
59 district regarding the expectations of the Department for the use of such money.

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

1 **Section 1.** NRS 385A.210 is hereby amended to read as
2 follows:

3 385A.210 The annual report of accountability prepared
4 pursuant to NRS 385A.070 must include information on class sizes,
5 including, without limitation:

6 1. The ratio of pupils to teachers in kindergarten and at each
7 grade level for each elementary school in the district and the district
8 as a whole, including, without limitation, each charter school
9 sponsored by the district; ~~and~~

10 2. The average class size for each core academic subject, as set
11 forth in NRS 389.018, for each secondary school in the district and
12 the district as a whole, including, without limitation, each charter
13 school sponsored by the district ~~;~~ *and*

14 3. *The total number of:*

15 (a) *Requests for a variance filed with the State Board pursuant*
16 *to subsection 5 of NRS 388.700; and*

17 (b) *Pupils affected by the variances granted by the State Board*
18 *pursuant to subsection 6 of NRS 388.700.*

19 **Sec. 2.** NRS 385A.420 is hereby amended to read as follows:

20 385A.420 The annual report of accountability prepared by the
21 State Board pursuant to NRS 385A.400 must include information on
22 class sizes, including, without limitation:

23 1. The ratio of pupils to teachers in kindergarten and at each
24 grade level for all elementary schools, reported for each school
25 district, including, without limitation, each charter school in the
26 district, and for this State as a whole; ~~and~~

27 2. The average class size for each core academic subject, as set
28 forth in NRS 389.018, for each secondary school, reported for each
29 school district and for this State as a whole ~~;~~ *and*

30 3. *The total number of:*

31 (a) *Requests for a variance filed with the State Board pursuant*
32 *to subsection 5 of NRS 388.700; and*

33 (b) *Pupils affected by the variances granted by the State Board*
34 *pursuant to subsection 6 of NRS 388.700.*

35 **Sec. 3.** NRS 387.1234 is hereby amended to read as follows:

36 387.1234 1. Except as otherwise provided in ~~subsection 3~~
37 ~~and~~ NRS 388.700, the State Board shall establish by regulation the
38 maximum pupil-teacher ratio in each grade, and for each subject
39 matter wherever different subjects are taught in separate classes, for



1 each school district , *charter school and university school for*
2 *profoundly gifted pupils* of this State which is consistent with:

3 (a) The maintenance of an acceptable standard of instruction;

4 (b) The conditions prevailing in the school district , *or at the*
5 *charter school or university school for profoundly gifted pupils,*
6 with respect to the number and distribution of pupils in each grade;
7 and

8 (c) Methods of instruction used, which may include ~~educational~~
9 ~~television,]~~ , *without limitation, virtual learning models, hybrid*
10 *learning, competency-based education,* team teaching or new
11 teaching systems or techniques.

12 2. If the Superintendent of Public Instruction finds that any
13 school district , *charter school or university school for profoundly*
14 *gifted pupils* is maintaining one or more classes whose pupil-teacher
15 ratio exceeds the applicable maximum, and unless the
16 Superintendent finds that the board of trustees of the school district
17 *or governing body of the charter school or university school, as*
18 *applicable,* has made every reasonable effort in good faith to
19 comply with the applicable standard, the Superintendent shall, with
20 the approval of the State Board, reduce the count of pupils for
21 apportionment purposes by the percentage which the number of
22 pupils attending those classes is of the total number of pupils in the
23 district ~~;~~ *or school, as applicable,* and the State Board may direct
24 the Superintendent to withhold the quarterly apportionment entirely.

25 ~~[3.— The provisions of this section do not apply to a charter~~
26 ~~school, a university school for profoundly gifted pupils, a program~~
27 ~~of distance education provided pursuant to NRS 388.820 to 388.874,~~
28 ~~inclusive, or a challenge school.]~~

29 **Sec. 4.** NRS 387.304 is hereby amended to read as follows:

30 387.304 The Department shall:

31 1. Conduct an annual audit of the count of pupils for
32 apportionment purposes reported each quarter by ~~each~~ school
33 ~~[district] districts,~~ *charter schools and university schools for*
34 *profoundly gifted pupils* pursuant to NRS 387.123 and the data
35 reported by ~~each~~ school ~~[district] districts,~~ *charter schools and*
36 *university schools for profoundly gifted pupils* pursuant to NRS
37 388.710 that is used to measure the effectiveness of the
38 implementation of a plan developed by ~~each~~ a school district ,
39 *charter school or university school for profoundly gifted pupils* to
40 reduce the pupil-teacher ratio as required by NRS 388.720.

41 2. Review each school district's report of the annual audit
42 conducted by a public accountant as required by NRS 354.624, and
43 the annual report prepared by each district as required by NRS
44 387.303, and report the findings of the review to the State Board and
45 the Joint Interim Standing Committee on Education, with any



1 recommendations for legislation, revisions to regulations or training
2 needed by school district employees. The report by the Department
3 must identify school districts which failed to comply with any
4 statutes or administrative regulations of this State or which had any:

5 (a) Long-term obligations in excess of the general obligation
6 debt limit;

7 (b) Deficit fund balances or retained earnings in any fund;

8 (c) Deficit cash balances in any fund;

9 (d) Variances of more than 10 percent between total general
10 fund revenues and budgeted general fund revenues; or

11 (e) Variances of more than 10 percent between total actual
12 general fund expenditures and budgeted total general fund
13 expenditures.

14 3. In preparing its biennial budgetary request for the State
15 Education Fund, consult with the superintendent of schools of each
16 school district or a person designated by the superintendent.

17 4. Provide, in consultation with the Budget Division of the
18 Office of Finance and the Fiscal Analysis Division of the
19 Legislative Counsel Bureau, training to the financial officers of
20 school districts in matters relating to financial accountability.

21 **Sec. 5.** NRS 388.700 is hereby amended to read as follows:

22 388.700 1. Except as otherwise provided in this section, for
23 each ~~[school quarter of a]~~ school year, the ratio in each school
24 district, *charter school or university school for profoundly gifted*
25 *pupils* of pupils per licensed teacher designated to teach, on a full-
26 time basis, in classes where core curriculum is taught:

27 (a) In kindergarten, ~~[and grades 1 and 2,]~~ must not exceed ~~[16]~~
28 *18* to 1; ~~[in grade]~~ and

29 (b) *In grades 1, 2 and 3*, must not exceed ~~[18]~~ *20* to 1. ~~[-; or~~

30 ~~—(b) If a plan is approved pursuant to subsection 3 of NRS~~
31 ~~388.720, must not exceed the ratio set forth in that plan for the grade~~
32 ~~levels specified in the plan.~~

33 ~~→]~~

34 2. *Except as otherwise provided in this section, for each*
35 *school year, the ratio in each school district, charter school or*
36 *university school for profoundly gifted pupils of pupils per*
37 *licensed teacher designated to teach, on a full-time basis, in*
38 *classes where English language arts or mathematics is taught:*

39 (a) *In grades 4, 5 and 6, must not exceed 25 to 1; and*

40 (b) *In grades 7 to 12, inclusive, must not exceed 30 to 1.*

41 3. In determining ~~[this]~~ *the ratio* ~~[]~~ *of pupils per licensed*
42 *teacher pursuant to subsection 1 or 2*, all licensed educational
43 personnel who teach a grade level specified in ~~[paragraph (a) or a~~
44 ~~grade level specified in a plan that is approved pursuant to~~
45 ~~subsection 3 of NRS 388.720, as applicable for the school district,]~~



1 *subsection 1 or 2, as applicable*, must be counted except teachers of
2 art, music, physical education or special education, teachers who
3 teach one or two specific subject areas to more than one classroom
4 of pupils, counselors, librarians, administrators, deans, specialists,
5 any administrators or other licensed educational personnel,
6 including, without limitation, counselors, coaches and special
7 education teachers, who may be present in a classroom but do not
8 teach every pupil in the classroom and teachers who are not actively
9 teaching pupils during a class period or who do not teach a subject
10 area for which the ratio of pupils per licensed teacher is being
11 determined.

12 ~~[2.]~~ 4. A school district, *charter school or university school*
13 *for profoundly gifted pupils* may, within the limits of any plan
14 adopted pursuant to NRS 388.720, assign a pupil whose enrollment
15 in a grade occurs after the end of ~~[a quarter]~~ *an instructional period*
16 during the school year to any existing class regardless of the number
17 of pupils in the class if the school district, *charter school or*
18 *university school for profoundly gifted pupils* requests and is
19 approved for a variance from the State Board pursuant to subsection
20 ~~[4.]~~ 6.

21 ~~[3.]~~ 5. Each school district, *charter school or university*
22 *school for profoundly gifted pupils* that includes one or more
23 ~~[elementary]~~ schools *or campuses* which exceed the ratio of pupils
24 per class during any ~~[quarter of a]~~ school year, as reported to the
25 Department pursuant to NRS 388.725:

26 (a) Set forth in subsection 1 ~~[]~~;
27 ~~—(b) Prescribed in conjunction with a legislative appropriation for~~
28 ~~the support of the class-size reduction program;] or 2; or~~

29 ~~[(e)]~~ (b) Defined by a legislatively approved alternative class-
30 size reduction plan, if applicable to that school district, *charter*
31 *school or university school for profoundly gifted pupils*,

32 ~~↪ must [request], not later than October 15 of that school year,~~
33 ~~file with the State Board a request for a~~ variance for each such
34 school *or campus* for the ~~[next quarter of the]~~ current school year ~~[if~~
35 ~~a quarter remains in that school year or for the next quarter of the~~
36 ~~succeeding school year, as applicable, from the State Board]~~ by
37 providing a written statement that includes the reasons for the
38 request, the justification for exceeding the applicable prescribed
39 ratio of pupils per class and a plan of actions that the school district,
40 *charter school or university school for profoundly gifted pupils*
41 will take to reduce the ratio of pupils per class.

42 ~~[4.]~~ 6. The State Board may grant to a school district, *charter*
43 *school or university school for profoundly gifted pupils* a variance
44 from the limitation on the number of pupils per class set forth in
45 paragraph (a) ~~[]~~ or (b) ~~[or (e)]~~ of subsection ~~[3.]~~ 5 for good cause,



1 including the lack of available financial support ~~[specifically set~~
2 ~~aside for the reduction of pupil teacher ratios.]~~ or difficulties in
3 hiring due to lack of qualified teachers applying for open teaching
4 positions.

5 7. On or before April 15 of a school year in which a school
6 district, charter school or university school for profoundly gifted
7 pupils receives a variance pursuant to subsection 6, the school
8 district, charter school or university school for profoundly gifted
9 pupils shall submit to the State Board a report of any changes in
10 the number of pupils per class during the school year and the
11 reasons for those changes.

12 ~~[5.]~~ 8. The State Board shall ~~[, on a quarterly basis, submit]~~
13 *annually compile* a report ~~[to the Interim Finance Committee]~~ on
14 each variance requested by a school district , *charter school or*
15 *university school for profoundly gifted pupils* pursuant to
16 subsection ~~[4 during the preceding quarter and, if] 5~~ for the current
17 school year. *The report must include, without limitation:*

18 (a) *A list of each school or campus for which a request for a*
19 *variance* ~~[was granted, an identification] was filed;~~

20 (b) *A list of each* ~~[elementary]~~ *school or campus* for which a
21 variance was granted ~~[and the] ;~~

22 (c) *The specific justification for* ~~[the] each~~ *variance* ~~[,~~
23 ~~—6.— The State Board shall, on or before February 1 of each odd-~~
24 ~~numbered year, submit a report to the Legislature on:~~

25 ~~—(a) Each variance requested by a school district pursuant to~~
26 ~~subsection 4 during the preceding biennium and, if a variance was~~
27 ~~granted, an identification of each elementary school for which~~
28 ~~variance was granted and the specific justification for the variance.~~
29 ~~—(b)] ;~~

30 (d) *The total number of pupils affected by each variance;*

31 (e) *The approximate financial cost to each school district,*
32 *charter school and university school for profoundly gifted pupils*
33 *to bring schools and campuses for which a variance was granted*
34 *into compliance with subsection 1 or 2, as applicable; and*

35 (f) The data reported to it by the various school districts ,
36 *charter schools and university schools for profoundly gifts pupils*
37 pursuant to subsection 2 of NRS 388.710, including ~~[an] ,~~ *without*
38 *limitation:*

39 (1) *An explanation of that data* ~~[, and the] ; and~~

40 (2) *The current pupil-teacher ratios per class in the grade*
41 *levels specified in* ~~[paragraph (a) of subsection] subsections~~ 1 ~~[or~~
42 ~~the grade levels specified in a plan that is approved pursuant to~~
43 ~~subsection 3 of NRS 388.720, as applicable for the school district.~~
44 ~~—7.] and 2.~~



1 **9. On or before January 1 of each year, the State Board shall**
2 **submit the report compiled pursuant to subsection 8 to the**
3 **Director of the Legislative Counsel Bureau for transmittal to the**
4 **Interim Finance Committee and:**

5 **(a) In an odd-numbered year, the next regular session of the**
6 **Legislature; and**

7 **(b) In an even-numbered year, the Joint Interim Standing**
8 **Committee on Education.**

9 **10. The Department shall, on or before ~~November 15~~**
10 **January 1 of each year, report to the Chief of the Budget Division**
11 **of the Office of Finance and the Fiscal Analysis Division of the**
12 **Legislative Counsel Bureau:**

13 **(a) The number of teachers employed full-time;**

14 **(b) ~~The number of teachers employed in order to attain the ratio~~**
15 **~~required by subsection 1;~~**

16 **~~(c) The number of substitute teachers filling vacancies or long-~~**
17 **~~term positions;~~**

18 **~~(d) (c) The number of pupils enrolled; and~~**

19 **~~(e) (d) The number of teachers assigned to teach in the same~~**
20 **~~classroom with another teacher or in any other arrangement other~~**
21 **~~than one teacher assigned to one classroom of pupils,~~**

22 **~~during the current school year in the grade levels specified in~~**
23 **~~[paragraph (a) of subsection] subsections 1 [or the grade levels~~**
24 **~~specified in a plan that is approved pursuant to subsection 3 of NRS~~**
25 **~~388.720, as applicable, for each school district.~~**

26 **~~8. The provisions of this section do not apply to a charter~~**
27 **~~school or to a program of distance education provided pursuant to~~**
28 **~~NRS 388.820 to 388.874, inclusive.] and 2.~~**

29 **Sec. 6. NRS 388.710 is hereby amended to read as follows:**

30 **388.710 1. The State Board, in consultation with ~~the trustees~~**
31 **~~of the~~ school districts , *charter schools, university schools for***
32 ***profoundly gifted pupils* and the recognized associations**
33 **representing licensed educational personnel, after receiving**
34 **comments from the general public, shall determine the data that**
35 **must be monitored by each school district , *charter school or***
36 ***university school for profoundly gifted pupils that is subject to the***
37 ***requirements of NRS 388.720* and used to measure the**
38 **effectiveness of the implementation of a plan developed by ~~each~~ *a***
39 ***school district , charter school or university school for profoundly***
40 ***gifted pupils* to reduce the pupil-teacher ratio pursuant to**
41 **NRS 388.720.**

42 **2. Each school district , *charter school and university school***
43 ***for profoundly gifted pupils that is subject to the requirements of***
44 ***NRS 388.720* shall report the data to the State Board as required by**
45 **the State Board.**



1 **Sec. 7.** NRS 388.720 is hereby amended to read as follows:

2 388.720 1. ~~Each~~ ~~school district~~, ~~charter school and university school~~
3 ~~each~~ *Each school district, charter school and university school*
4 *for profoundly gifted pupils that has one or more schools or*
5 *campuses which exceed the ratio of pupils per class pursuant to*
6 *NRS 388.700*, together with the recognized associations
7 representing licensed educational personnel shall develop a plan to
8 reduce the ~~district's~~ pupil-teacher ratio per class ~~in kindergarten~~
9 ~~and grades 1, 2 and 3~~ *to conform with the maximum pupil-teacher*
10 *ratios prescribed by NRS 388.700* within the limits of available
11 financial support specifically set aside for this purpose and submit
12 that plan to the State Board.

13 2. ~~In lieu of complying with the pupil-teacher ratio prescribed~~
14 ~~in paragraph (a) of subsection 1 of NRS 388.700, a school district in~~
15 ~~a county whose population is less than 100,000 may, in consultation~~
16 ~~with the recognized associations representing licensed educational~~
17 ~~personnel, develop a plan to reduce the district's pupil-teacher ratios~~
18 ~~per class for specified grade levels in elementary schools.~~
19 ~~Alternative ratios for grade 6 may only be approved for those school~~
20 ~~districts that include grade 6 in elementary school. The alternative~~
21 ~~pupil-teacher ratios must not:~~

22 —(a) Exceed 22 to 1 in grades 1, 2 and 3; and

23 —(b) Exceed 25 to 1 in grades 4 and 5 or grades 4, 5 and 6, as
24 applicable.

25 ~~3.]~~ The State Board shall approve a plan submitted pursuant to
26 subsection ~~2] I~~ if the plan ~~is~~:

27 ~~(a) Reduces~~ *reduces* the district's pupil-teacher ratio in the
28 ~~elementary~~ schools *or campuses* within the school district ~~is~~ and

29 ~~(b) Is fiscally neutral such that the plan will not cost more to~~
30 ~~carry out than a plan that complies with the ratios prescribed in~~
31 ~~paragraph (a) of subsection 1 of NRS 388.700.]~~, *charter school or*
32 *university school for profoundly gifted pupils.*

33 **Sec. 8.** NRS 388.723 is hereby amended to read as follows:

34 388.723 The Department shall:

35 1. Develop policies and procedures for:

36 (a) Monitoring the plan of ~~each~~ a school district, *charter*
37 *school or university school for profoundly gifted pupils* to reduce
38 the pupil-teacher ratio per class developed pursuant to NRS
39 388.720, which must include, without limitation, provisions for:

40 (1) The review of each plan submitted to the State Board to
41 ensure the adequacy of such plans; and

42 (2) The review of any data submitted to the State Board
43 pursuant to NRS 388.710.

44 (b) Monitoring the ~~quarterly~~ reports concerning the average
45 daily enrollment of pupils and the pupil-teacher ratios in each school



1 district , *charter school or university school for profoundly gifted*
2 *pupils* submitted by the ~~[board of trustees of the]~~ school district ,
3 *charter school or university school for profoundly gifted pupils*
4 pursuant to NRS 388.725 to ensure the completeness and accuracy
5 of such reports.

6 (c) The review of any requests for a variance submitted to the
7 State Board pursuant to NRS 388.700, which must include, without
8 limitation, provisions to verify the information in such requests to
9 ensure the accuracy of the reports on variances submitted by the
10 State Board to the Legislature pursuant to that section.

11 ~~[(d) The distribution of money to each school district for the~~
12 ~~reduction of pupil teacher ratios, which must include, without~~
13 ~~limitation, provisions for:~~

14 ~~—— (1) The retention of all documents and records related to the~~
15 ~~distribution; and~~

16 ~~—— (2) The review of the work performed to determine the~~
17 ~~distribution of such money to ensure the accuracy of supporting~~
18 ~~information and the calculations used in making such~~
19 ~~determinations.]~~

20 2. Provide guidance to the school districts , *charter schools*
21 *and university schools for profoundly gifted pupils* on:

22 (a) The development of a plan to reduce the pupil-teacher ratio
23 per class pursuant to NRS 388.720. In developing such guidance,
24 the Department shall:

25 (1) Outline the criteria that each plan must include to meet
26 the requirements of NRS 388.720.

27 (2) Provide examples of policies, plans or strategies adopted
28 by other states to reduce class sizes.

29 (b) The requirements for reporting information related to the
30 reduction of pupil-teacher ratios.

31 (c) The data that must be monitored pursuant to NRS 388.710
32 by ~~[each]~~ a school district , *charter school or university school for*
33 *profoundly gifted pupils* and used to measure the effectiveness of
34 the implementation of any plan to reduce pupil-teacher ratios.

35 ~~[(3.) Communicate with the board of trustees of each school~~
36 ~~district regarding the expectations of the Department for the use of~~
37 ~~any money distributed to reduce pupil teacher ratios in the school~~
38 ~~district, including, without limitation, the minimum number of~~
39 ~~teachers the school district is expected to employ.]~~

40 (d) *The use of money over which the school districts, charter*
41 *schools and university schools for profoundly gifted pupils have*
42 *discretion for the purpose of reducing pupil-teacher ratios.*

43 **Sec. 9.** NRS 388.725 is hereby amended to read as follows:

44 388.725 ~~[(1.)~~ On or before ~~[August 1, November 1,~~
45 ~~February 1 and May 1]~~ *October 15 and April 15* of each year, ~~[the~~



~~board of trustees of~~ each school district , *charter school and university school for profoundly gifted pupils* shall report to the Department for the ~~preceding quarter:~~

~~—(a) Except as otherwise provided in paragraph (b),~~ *current school year* the average daily enrollment of pupils and the ratio of pupils per licensed teacher for ~~grades 1, 2 and 3 for~~ each ~~elementary school in the school district.~~

~~—(b) If the State Board has approved an alternative class size reduction plan for the school district pursuant to NRS 388.720, the average daily enrollment of pupils and the ratio of pupils per licensed teacher for those grades which are required to comply with the alternative class size reduction plan for each elementary school in the school district.~~

~~2. The board of trustees of each school district shall post on the Internet website maintained by the school district:~~

~~—(a) The information concerning average daily enrollment and class size for each elementary school in the school district, as reported to the Department pursuant to subsection 1; and~~

~~—(b) An identification of each elementary school in the school district, if any, for which a variance from the prescribed pupil-teacher ratios was granted by the State Board pursuant to subsection 4 of NRS 388.700.]~~ *grade or class that is required to have a certain ratio of pupils per licensed teacher pursuant to NRS 388.700.*

Sec. 10. NRS 388G.120 is hereby amended to read as follows:
388G.120 1. Each empowerment plan for a school must:

(a) Set forth the manner by which the school will be governed;

(b) Set forth the proposed budget for the school, including, without limitation, the cost of carrying out the empowerment plan, and the manner by which the money apportioned to the school will be administered;

(c) Prescribe the academic plan for the school, including, without limitation, the manner by which courses of study will be provided to the pupils enrolled in the school and any special programs that will be offered for pupils;

(d) Prescribe the manner by which the achievement of pupils will be measured and reported for the school, including, without limitation, the results of the pupils on the examinations administered pursuant to NRS 390.105 and, if applicable for the grade levels of the empowerment school, the college and career readiness assessment administered pursuant to NRS 390.610;

(e) Prescribe the manner by which teachers and other licensed educational personnel will be selected and hired for the school, which must be determined and negotiated pursuant to chapter 288 of NRS;



1 (f) Prescribe the manner by which all other staff for the school
2 will be selected and hired, which must be determined and negotiated
3 pursuant to chapter 288 of NRS;

4 (g) Indicate whether the empowerment plan will offer an
5 incentive pay structure for staff and a description of that pay
6 structure, if applicable;

7 (h) Indicate the intended ratio of pupils to teachers at the school,
8 designated by grade level, which must comply with NRS 388.700 ;
9 ~~for 388.720, as applicable;~~

10 (i) Provide a description of the professional development that
11 will be offered to the teachers and other licensed educational
12 personnel employed at the school;

13 (j) Prescribe the manner by which the empowerment plan will
14 increase the involvement of parents and legal guardians of pupils
15 enrolled in the school;

16 (k) Comply with the plan to improve the achievement of the
17 pupils enrolled in the school prepared pursuant to NRS 385A.650;

18 (l) Address the specific educational needs and concerns of the
19 pupils who are enrolled in the school; and

20 (m) Set forth the calendar and schedule for the school.

21 2. If the empowerment plan includes an incentive pay structure,
22 that pay structure must:

23 (a) Provide an incentive for all staff employed at the school;

24 (b) Set forth the standards that must be achieved by the pupils
25 enrolled in the school and any other measurable objectives that must
26 be met to be eligible for incentive pay; and

27 (c) Be in addition to the salary or hourly rate of pay negotiated
28 pursuant to chapter 288 of NRS that is otherwise payable to the
29 employee.

30 3. An empowerment plan may:

31 (a) Request a waiver from a statute contained in this title or a
32 regulation of the State Board or the Department.

33 (b) Identify the services of the school district which the school
34 wishes to receive, including, without limitation, professional
35 development, transportation, food services and discretionary
36 services. Upon approval of the empowerment plan, the school
37 district may deduct from the total apportionment to the
38 empowerment school the costs of such services.

39 4. For purposes of determining the budget pursuant to
40 paragraph (b) of subsection 1, if a public school which converts to
41 an empowerment school is a:

42 (a) Charter school, the amount of the budget is the amount equal
43 to the apportionments and allowances from the State Education
44 Fund pursuant to NRS 387.121 to 387.12468, inclusive, and its
45 proportionate share of any other money available from federal, state



1 or local sources that the school or the pupils enrolled in the school
2 are eligible to receive.

3 (b) Public school, other than a charter school, the empowerment
4 team for the school shall have discretion of 90 percent of the amount
5 of money from the state financial aid and local funds that the school
6 district apportions for the school, without regard to any line-item
7 specifications or specific uses determined advisable by the school
8 district, unless the empowerment team determines that a lesser
9 amount is necessary to carry out the empowerment plan.

10 **Sec. 11.** The provisions of subsection 1 of NRS 218D.380 do
11 not apply to any provision of this act which adds or revises a
12 requirement to submit a report to the Legislature.

13 **Sec. 12.** The provisions of NRS 354.599 do not apply to any
14 additional expenses of a local government that are related to the
15 provisions of this act.

16 **Sec. 13.** This act becomes effective on July 1, 2023.



ASSEMBLY BILL NO. 4—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to certain educational commissions. (BDR 34-280)

FISCAL NOTE: Effect on Local Government: No.
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; revising provisions governing meetings of the Commission on School Funding; revising the membership of the Commission on Professional Standards in Education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Commission on School Funding which has various
2 powers and duties relating to the implementation of the Pupil-Centered Funding
3 Plan and the funding of public schools in this State. (NRS 387.1246, 387.12463)
4 Under existing law, the Commission on School Funding is authorized to meet only
5 between July 1 of an odd-numbered year and September 30 of the subsequent even-
6 numbered year. (NRS 387.1246) **Section 1** of this bill eliminates the limitation on
7 when the Commission on School Funding is authorized to meet, thereby allowing
8 the Commission on School Funding to meet at any time during the interim period
9 between regular legislative sessions and during regular legislative sessions.

10 Existing law creates the Commission on Professional Standards in Education to
11 prescribe qualifications for the licensure of teachers and other educational
12 personnel and provides that the Commission on Professional Standards in
13 Education consists of eleven members who are appointed by the Governor,
14 including one member who has expertise and experience in the operation of a
15 business. (NRS 391.011, 391.019) **Section 2** of this bill removes the member with
16 experience and expertise in the operation of a business, and adds three additional
17 members, including the dean of the School of Education at Nevada State College or
18 the dean representing the Teacher Education Department at Great Basin College, as
19 well as two human resources professionals from school districts of different
20 enrollment sizes.



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

1 **Section 1.** NRS 387.1246 is hereby amended to read as
2 follows:

3 387.1246 1. The Commission on School Funding, consisting
4 of 11 members, is hereby created.

5 2. The Commission consists of the following members, who
6 may not be Legislators:

7 (a) One member appointed by the Governor, who serves as
8 Chair;

9 (b) Two members appointed by the Majority Leader of the
10 Senate;

11 (c) Two members appointed by the Speaker of the Assembly;

12 (d) One member appointed by the Minority Leader of the
13 Senate;

14 (e) One member appointed by the Minority Leader of the
15 Assembly;

16 (f) Two members appointed by the Governor, each of whom is
17 the chief financial officer of a school district in this State which has
18 more than 40,000 pupils enrolled in its public schools, nominated by
19 the Nevada Association of School Superintendents or its successor
20 organization; and

21 (g) Two members appointed by the Governor, each of whom is
22 the chief financial officer of a school district in this State which has
23 40,000 or fewer pupils enrolled in its public schools, nominated by
24 the Nevada Association of School Superintendents or its successor
25 organization.

26 ↪ In making appointments to the Commission, the appointing
27 authorities shall consider whether the membership generally reflects
28 the geographic distribution of pupils in the State.

29 3. Each member of the Commission must:

30 (a) Be a resident of this State;

31 (b) Not have been registered as a lobbyist pursuant to NRS
32 218H.200 for a period of at least 2 years immediately preceding
33 appointment to the Commission;

34 (c) Have relevant experience in public education;

35 (d) Have relevant experience in fiscal policy, school finance or
36 similar or related financial activities;

37 (e) Have the education, experience and skills necessary to
38 effectively execute the duties and responsibilities of a member of
39 the Commission; and

40 (f) Have demonstrated ability in the field of economics, taxation
41 or other discipline necessary to school finance and be able to bring



1 knowledge and professional judgment to the deliberations of the
2 Commission.

3 4. Each member of the Commission serves a term of 3 years
4 and may be reappointed to additional terms.

5 5. Each member may be removed by the appointing authority
6 for good cause. A vacancy on the Commission must be filled in the
7 same manner as the original appointment.

8 6. The Commission shall:

9 (a) Elect a Vice Chair from among its members at its first
10 meeting for a term of 3 years. A vacancy in the office of Vice Chair
11 must be filled by the Commission by election for the remainder of
12 the existing term.

13 (b) Adopt such rules governing the conduct of the Commission
14 as it deems necessary.

15 (c) Hold its first meeting on or before October 1, 2019, and hold
16 such additional number of meetings as may be necessary to
17 accomplish the tasks assigned to it. ~~[in the time allotted.]~~

18 7. A majority of the members of the Commission constitutes a
19 quorum and a majority of those present must concur in any decision.

20 8. The Department shall provide the Commission with meeting
21 rooms, data processing services and administrative and clerical
22 assistance. The Superintendent of Public Instruction and Office of
23 Finance shall jointly provide the Commission with professional staff
24 services.

25 9. While engaged in the business of the Commission, each
26 member is entitled to receive the per diem allowance and travel
27 expenses provided for state officers and employees generally.

28 ~~[10. The Commission may meet only between July 1 of an~~
29 ~~odd-numbered year and September 30 of the subsequent even-~~
30 ~~numbered year.]~~

31 **Sec. 2.** NRS 391.011 is hereby amended to read as follows:

32 391.011 1. The Commission on Professional Standards in
33 Education, consisting of ~~[eleven]~~ *thirteen* members appointed by the
34 Governor, is hereby created.

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

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

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

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

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



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

4 3. The remaining members of the Commission must include:

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

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

12 (c) The dean of the College of Education at one of the
13 universities in the Nevada System of Higher Education, or a
14 representative of one of the Colleges of Education nominated by
15 such a dean for appointment by the Governor.

16 *(d) The dean of the School of Education at Nevada State
17 College or the dean who represents the Teacher Education
18 Department at Great Basin College, or a representative nominated
19 by such a dean for appointment by the Governor.*

20 *(e) The chief human resources officer or a human resources
21 representative of a school district in this State which has more
22 than 40,000 pupils enrolled in its public schools.*

23 *(f) The chief human resources officer or a human resources
24 representative of a school district in this State which has 40,000 or
25 fewer pupils enrolled in its public schools.*

26 ~~[(d)]~~ (g) One member who is the parent or legal guardian of a
27 pupil enrolled in a public school.

28 ~~[(e) One member who has expertise and experience in the
29 operation of a business.]~~

30 ~~[(f)]~~ (h) One member who is the superintendent of schools of a
31 school district.

32 4. Three of the five appointments made pursuant to subsection
33 2 must be made from a list of names of at least three persons for
34 each position that is submitted to the Governor by an employee
35 organization representing the majority of teachers in the State who
36 teach in the educational level from which the appointment is being
37 made.

38 5. The appointment made pursuant to:

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



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

5 (c) *Paragraphs (e) and (f) of subsection 3 must be made from a*
6 *list of names of persons for each position submitted to the*
7 *Governor by the Nevada Association of School Superintendents or*
8 *its successor organization.*

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

12 ~~(d)~~ (e) Paragraph ~~(d)~~ (h) of subsection 3 must be made from
13 a list of names of persons submitted to the Governor by the Nevada
14 Association of School Superintendents ~~(h)~~ *or its successor*
15 *organization.*

16 **Sec. 3.** 1. The term of the member serving on the
17 Commission on Professional Standards in Education whose
18 qualifications require expertise and experience in the operation of a
19 business expires on July 1, 2023.

20 2. As soon as practicable after July 1, 2023, the Governor shall
21 appoint to the Commission on Professional Standards in Education
22 any new members required to be appointed to the Commission
23 pursuant to NRS 391.011, as amended by section 2 of this act.

24 **Sec. 4.** This act becomes effective on July 1, 2023.



ASSEMBLY BILL NO. 25—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing exemptions from civil liability in certain emergency situations. (BDR 3-281)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 emergency care; revising the limitation on liability for certain persons who administer cardiopulmonary resuscitation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a person who has received certain formal training in
2 cardiopulmonary resuscitation or acts at the direction of a dispatcher for an agency
3 that provides emergency medical services and who, in good faith, administers
4 cardiopulmonary resuscitation in accordance with such training or direction is not
5 civilly liable for damages as a result of any act or omission not amounting to gross
6 negligence, provided that the person is not rendering such care in the course of the
7 person’s regular employment or profession. (NRS 41.500) Existing law requires
8 the board of trustees of each school district in this State to establish a plan for the
9 training and certification of certain teachers and licensed educational personnel in
10 cardiopulmonary resuscitation. (NRS 391.092) A person who is required to be
11 certified in the administration of cardiopulmonary resuscitation pursuant to such a
12 plan and who, in good faith, renders cardiopulmonary resuscitation on public
13 school property, in connection with the transportation of pupils to or from a public
14 school, or while on public school activities is presumed to have acted other than in
15 the course of his or her employment or profession and, thus, qualifies for the
16 limitation on civil liability set forth in existing law. (NRS 41.500) This bill expands
17 the limitation on civil liability to apply to a person who is required to be certified in
18 the administration of cardiopulmonary resuscitation pursuant to a school district
19 plan and who renders cardiopulmonary resuscitation on private school property, in
20 connection with the transportation of pupils to or from a private school, or while on
21 private school activities.



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

1 **Section 1.** NRS 41.500 is hereby amended to read as follows:

2 41.500 1. Except as otherwise provided in NRS 41.505, any
3 person in this State who renders emergency care or assistance in an
4 emergency, gratuitously and in good faith, except for a person who
5 is performing community service as a result of disciplinary action
6 pursuant to any provision in title 54 of NRS, is not liable for any
7 civil damages as a result of any act or omission, not amounting to
8 gross negligence, by that person in rendering the emergency care or
9 assistance or as a result of any act or failure to act, not amounting to
10 gross negligence, to provide or arrange for further medical treatment
11 for the injured person.

12 2. Any person in this State who acts as a driver of an
13 ambulance or attendant on an ambulance operated by a volunteer
14 service or as a volunteer driver or attendant on an ambulance
15 operated by a political subdivision of this State, or owned by the
16 Federal Government and operated by a contractor of the Federal
17 Government, and who in good faith renders emergency care or
18 assistance to any injured or ill person, whether at the scene of an
19 emergency or while transporting an injured or ill person to or from
20 any clinic, doctor's office or other medical facility, is not liable for
21 any civil damages as a result of any act or omission, not amounting
22 to gross negligence, by that person in rendering the emergency care
23 or assistance, or as a result of any act or failure to act, not
24 amounting to gross negligence, to provide or arrange for further
25 medical treatment for the injured or ill person.

26 3. Any person who is an appointed member of a volunteer
27 service operating an ambulance or an appointed volunteer serving
28 on an ambulance operated by a political subdivision of this State,
29 other than a driver or attendant of an ambulance, is not liable for any
30 civil damages as a result of any act or omission, not amounting to
31 gross negligence, by that person whenever the person is performing
32 his or her duties in good faith.

33 4. Any person who is a member of a search and rescue
34 organization in this State under the direct supervision of any county
35 sheriff who in good faith renders care or assistance in an emergency
36 to any injured or ill person, whether at the scene of an emergency or
37 while transporting an injured or ill person to or from any clinic,
38 doctor's office or other medical facility, is not liable for any civil
39 damages as a result of any act or omission, not amounting to gross
40 negligence, by that person in rendering the emergency care or
41 assistance, or as a result of any act or failure to act, not amounting to



1 gross negligence, to provide or arrange for further medical treatment
2 for the injured or ill person.

3 5. Any person who is employed by or serves as a volunteer for
4 a public fire-fighting agency and who is authorized pursuant to
5 chapter 450B of NRS to render emergency medical care at the scene
6 of an emergency is not liable for any civil damages as a result of any
7 act or omission, not amounting to gross negligence, by that person
8 in rendering that care or as a result of any act or failure to act, not
9 amounting to gross negligence, to provide or arrange for further
10 medical treatment for the injured or ill person.

11 6. Any person who:

12 (a) Has successfully completed a course in cardiopulmonary
13 resuscitation according to the guidelines of the American [National]
14 Red Cross or American Heart Association;

15 (b) Has successfully completed the training requirements of a
16 course in basic emergency care of a person in cardiac arrest
17 conducted in accordance with the standards of the American Heart
18 Association; or

19 (c) Is directed by the instructions of a dispatcher for an
20 ambulance, air ambulance or other agency that provides emergency
21 medical services before its arrival at the scene of the emergency,

22 ↪ and who in good faith renders cardiopulmonary resuscitation in
23 accordance with the person's training or the direction, other than in
24 the course of the person's regular employment or profession, is not
25 liable for any civil damages as a result of any act or omission, not
26 amounting to gross negligence, by that person in rendering that care.

27 7. For the purposes of subsection 6, a person who:

28 (a) Is required to be certified in the administration of
29 cardiopulmonary resuscitation pursuant to NRS 391.092; and

30 (b) In good faith renders cardiopulmonary resuscitation on the
31 property of a public *or private* school or in connection with a
32 transportation of pupils to or from a public *or private* school or
33 while on activities that are part of the program of a public *or private*
34 school,

35 ↪ shall be presumed to have acted other than in the course of the
36 person's regular employment or profession.

37 8. Any person who gratuitously and in good faith renders
38 emergency medical care involving the use of an automated external
39 defibrillator is not liable for any civil damages as a result of any act
40 or omission, not amounting to gross negligence, by that person in
41 rendering that care.

42 9. A business or organization that has placed an automated
43 external defibrillator for use on its premises is not liable for any
44 civil damages as a result of any act or omission, not amounting to
45 gross negligence, by the person rendering such care or for providing



1 the automated external defibrillator to the person for the purpose of
2 rendering such care if the business or organization:

3 (a) Complies with all current federal and state regulations
4 governing the use and placement of an automated external
5 defibrillator;

6 (b) Ensures that the automated external defibrillator is
7 maintained and tested according to the operational guidelines
8 established by the manufacturer; and

9 (c) Establishes requirements for the notification of emergency
10 medical assistance and guidelines for the maintenance of the
11 equipment.

12 10. As used in this section [~~“gratuitously”~~]:

13 (a) *“Gratuitously”* means that the person receiving care or
14 assistance is not required or expected to pay any compensation or
15 other remuneration for receiving the care or assistance.

16 (b) *“Private school”* has the meaning ascribed to it in
17 *NRS 394.103*.

18 **Sec. 2.** This act becomes effective upon passage and approval.



SENATE BILL NO. 9—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-282)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

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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; revising the date by which a school district or public school is required to create and post certain reports on the Internet; revising certain limitations on the use of money appropriated for programs of career and technical education; eliminating end-of-course finals; revising provisions governing educational involvement accords; eliminating the use of certain forms prescribed by the Department of Education that teachers in elementary schools are authorized to use to provide certain reports to parents and legal guardians of pupils; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires each school district and public school in this State to
2 create and post on the Internet on or before October 1 of each year a report relating
3 to educational expenditures, personnel employed and services provided by the
4 school district or public school, as applicable, during the immediately preceding
5 school year. (NRS 387.12468) **Section 1** of this bill extends the deadline for the
6 creation and posting of the report to on or before January 1 of each year.

7 Existing law prohibits the State Board of Education from using more than 7.5
8 percent of the money appropriated for programs of career and technical education
9 to provide certain leadership and training activities, including: (1) activities by or
10 for a pupil organization; (2) training and conferences for teachers; (3) marketing of
11 career and technical education classes; and (4) the development of standards and
12 assessments of career and technical education. (NRS 388.392) **Section 2** of this bill
13 increases this limitation to 20 percent of such appropriated money and expands the
14 activities for which money within the 20 percent limitation may be used to include:



15 (1) certain specific training activities for teachers of classes or programs of career
16 and technical education; and (2) certain activities relating to work-based learning,
17 industry-recognized credentials and career exploration.

18 Existing law requires the State Board to prescribe criterion-referenced
19 examinations to measure the achievement of pupils who are enrolled in grades 3 to
20 12, inclusive. (NRS 390.105) Existing law also requires the State Board to select a
21 college and career readiness assessment to be administered to pupils who are
22 enrolled in grade 11. (NRS 390.610) Existing law additionally requires the State
23 Board to adopt regulations regarding end-of-course finals, including the courses for
24 which an end-of-course final must be administered. (NRS 390.700) **Sections 3 and**
25 **5** of this bill eliminate end-of-course finals.

26 The federal Every Student Succeeds Act of 2015 requires local educational
27 agencies to develop a written policy for meaningful parental and family
28 involvement with the education of the pupil. (20 U.S.C. § 6318) Existing state law
29 also requires all public schools in the State to use educational involvement accords,
30 which are agreements between the schools and parents concerning the
31 responsibilities of the parents, pupils and schools. Existing law requires: (1) the
32 Department of Education to prescribe a form for educational involvement accords
33 that complies with the policies of the federal Every Student Succeeds Act of 2015
34 and the policies of this State to involve parents and families in the education of the
35 pupil; and (2) the board of trustees of each school district to adopt a policy
36 providing for the development and distribution of educational involvement accords.
37 (NRS 392.4575) **Section 4** of this bill removes the requirement for the Department
38 to prescribe such a form and, instead, requires the Department to ensure that public
39 schools use educational involvement accords that comply with certain federal and
40 state policies. **Section 5** also eliminates a form prescribed by the Department that
41 teachers in elementary schools are authorized to use to provide reports to parents
42 and legal guardians concerning parental involvement and compliance by pupils
43 with certain school policies. (NRS 392.456)

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

1 **Section 1.** NRS 387.12468 is hereby amended to read as
2 follows:

3 387.12468 1. On or before ~~October~~ **January** 1 of each year,
4 each school district shall create a report that includes a description
5 of the personnel employed and services provided by the school
6 district during the immediately preceding school year and any
7 changes that the school district anticipates making to the personnel
8 and services during the current school year. The school district shall
9 post a copy of the report on the Internet website maintained by the
10 school district.

11 2. On or before ~~October~~ **January** 1 of each year, each public
12 school shall create a report that includes a description of the
13 personnel employed and services provided by the school during the
14 immediately preceding school year and any changes the school
15 anticipates making to the personnel and services during the current
16 school year. The public school shall post a copy of the report on the



1 Internet website maintained by the public school or, if the public
2 school does not maintain an Internet website, on the Internet website
3 maintained by the school district or the governing body or sponsor
4 of the public school, as applicable.

5 3. The Department shall prescribe by regulation the format and
6 contents of the information to be provided to create the report
7 created by each school district pursuant to subsection 1 and each
8 public school pursuant to subsection 2. The reports must include, as
9 applicable and without limitation:

10 (a) Each grade level at which the public school enrolls pupils;

11 (b) The number of pupils attending the public school;

12 (c) The average class size at the public school;

13 (d) The number of persons employed by the public school to
14 provide instruction, support to pupils, administrative support and
15 other personnel including, without limitation, the number of
16 employees in any subgroup of each type or classification of
17 personnel as prescribed by the Department;

18 (e) The professional development provided by the public school;

19 (f) The amount of money spent per pupil for supplies, materials,
20 equipment and textbooks;

21 (g) For each category of pupils for which the public school
22 receives any additional funding, including, without limitation, pupils
23 with disabilities, pupils who are English learners, at-risk pupils and
24 gifted and talented pupils:

25 (1) The number of pupils in each category who attend the
26 public school;

27 (2) If the Department determines that pupils within a
28 category must be divided based on severity of need, the number of
29 pupils in each such subcategory; and

30 (3) The number of persons employed to provide instruction,
31 support to pupils, administrative support and other personnel
32 employed by the public school and dedicated to providing services
33 to each category or subcategory of pupils, including, without
34 limitation, any subgroup of each kind of personnel prescribed by the
35 Department;

36 (h) The total amount of money received to support the
37 operations of the public school, divided by the number of pupils
38 enrolled in the public school and expressed as a per pupil amount;

39 (i) The total amount of money received by the public school as
40 adjusted base per pupil funding, divided by the number of pupils
41 enrolled in the public school and expressed as a per pupil amount;
42 and

43 (j) The amount of money received by the public school as
44 weighted funding for each category of pupils supported by weighted
45 funding, divided by the number of pupils enrolled in the public



1 school who are identified in the appropriate category and expressed
2 as a per pupil amount for each category.

3 **Sec. 2.** NRS 388.392 is hereby amended to read as follows:

4 388.392 1. Of state money appropriated for use in a fiscal
5 year for programs of career and technical education, the State Board
6 shall not use more than ~~7.5~~ 20 percent to provide leadership and
7 training activities *or workforce development activities, or both*, in
8 that fiscal year.

9 2. Before allocating state money, if any, to provide leadership
10 and training activities ~~or~~ *or workforce development activities, or*
11 *both*, the State Board shall:

12 (a) Distribute 30 percent of the state money in the manner set
13 forth in NRS 388.393; and

14 (b) Distribute not more than 5 percent of the state money to
15 pupil organizations for career and technical education in the manner
16 set forth in NRS 388.394.

17 3. After distributing the state money pursuant to subsection 2
18 and allocating state money, if any, to provide leadership and training
19 activities ~~or~~ *or workforce development activities, or both*, the State
20 Board shall distribute the remainder of state money in the manner
21 set forth in NRS 388.395.

22 4. The State Board shall request that representatives of the
23 industry sector councils established pursuant to subsection 2 of
24 NRS 232.935 provide recommendations to the Superintendent of
25 Public Instruction on the awarding of grants pursuant to
26 NRS 388.393.

27 5. As used in this section ~~“leadership”~~ :

28 (a) *“Leadership* and training activities” means:

29 ~~(a)~~ (1) Activities by or for pupil organizations for career and
30 technical education;

31 ~~(b)~~ (2) Training activities for teachers of classes or programs
32 of career and technical education ~~;~~

33 ~~(c)~~ , *including, without limitation:*

34 (I) *Training activities to support pupils who are earning*
35 *industry-recognized credentials, as identified by the Governor’s*
36 *Office of Workforce Innovation pursuant to paragraph (d) of*
37 *subsection 4 of NRS 232.975; and*

38 (II) *Training activities to provide dual credit courses in*
39 *career and technical education to pupils;*

40 (3) Activities at or for a conference of teachers of classes or
41 programs of career and technical education;

42 ~~(d)~~ (4) Promotion and marketing of classes or programs of
43 career and technical education; and



1 ~~[(e)]~~ (5) The development of standards and assessments of
2 career and technical education for the purposes of leadership and
3 training.

4 (b) *“Workforce development activities” means:*

5 (1) *Activities by or for pupils participating in a work-based*
6 *learning program pursuant to NRS 389.167;*

7 (2) *Activities by or for pupils to earn industry-recognized*
8 *credentials, as identified by the Governor’s Office of Workforce*
9 *Innovation pursuant to paragraph (d) of subsection 4 of*
10 *NRS 232.975; and*

11 (3) *Activities by or for pupils enrolled in middle school or*
12 *junior high school who are participating in career exploration.*

13 **Sec. 3.** NRS 389.0186 is hereby amended to read as follows:

14 389.0186 1. Except as otherwise provided in this section,
15 each public high school, including without limitation, a charter
16 school, must allow a pupil enrolled in the school to receive a fourth
17 unit of credit towards the mathematics credits required for
18 graduation from high school or a third unit of credit towards the
19 science credits required for graduation from high school for
20 successful completion of:

21 (a) An advanced placement computer science course;

22 (b) A computer science course that is offered through a program
23 of career and technical education; or

24 (c) A computer science course that is offered by a community
25 college or university which has been approved pursuant to
26 NRS 389.160.

27 2. A pupil ~~[(a)]~~

28 ~~—(a) May~~ *may* not apply more than one unit of credit received for
29 the completion of one or more courses described in subsection 1
30 toward the mathematics or science credits required for graduation
31 from high school.

32 ~~[(b) Must successfully complete each mathematics or science~~
33 ~~course for which an end-of course examination is prescribed by the~~
34 ~~State Board pursuant to 20 U.S.C. § 6311(b)(2).]~~

35 **Sec. 4.** NRS 392.4575 is hereby amended to read as follows:

36 392.4575 1. The Department shall ~~[(prescribe a form for~~
37 ~~educational involvement accords to be used by)]~~ *ensure that* all
38 public schools in this State ~~[(use educational involvement accords~~
39 ~~that comply with the requirements of this section.)]~~ *use educational involvement accords*
40 *that comply with the requirements of this section.* The educational
41 involvement accord must comply with the policy:

42 (a) For parental involvement required by the federal Every
43 Student Succeeds Act of 2015, as set forth in 20 U.S.C. § 6318.

44 (b) For parental involvement and family engagement adopted by
the State Board pursuant to NRS 392.457.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 3. Each educational involvement accord must be accompanied
37 by, without limitation:

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

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



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

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

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

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

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

12 (h) The classroom rules and policies;

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

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

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

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

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

24 4. The board of trustees of each school district shall adopt a
25 policy providing for the development and distribution of the
26 educational involvement accord. The policy adopted by a board of
27 trustees must require each classroom teacher to:

28 (a) Distribute the educational involvement accord to the parent
29 or legal guardian of each pupil in the teacher's class at the beginning
30 of each school year or upon a pupil's enrollment in the class, as
31 applicable; and

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

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

42 ~~6. The Department and the board of trustees of each school~~
43 ~~district shall, at least once each year, review and amend their~~
44 ~~respective educational involvement accords.]~~

45 **Sec. 5.** NRS 390.700 and 392.456 are hereby repealed.



- 1 **Sec. 6.** 1. This section becomes effective upon passage and
2 approval.
3 2. Sections 3, 4 and 5 of this act become effective:
4 (a) Upon passage and approval for the purpose of adopting any
5 regulations and performing any other preparatory administrative
6 tasks that are necessary to carry out the provisions of this act; and
7 (b) On July 1, 2023, for all other purposes.
8 3. Sections 1 and 2 of this act become effective on July 1,
9 2023.

TEXT OF REPEALED SECTIONS

390.700 Regulations relating to end-of-course finals.

1. The State Board shall adopt regulations that prescribe the:
- (a) Courses of study for which an end-of-course final must be administered; and
- (b) Amount, expressed as a percentage of the pupil's overall grade in the course of study or other weight, that the end-of-course final must comprise when determining the overall grade of a pupil in the course for which the end-of-course final is administered.
2. The State Board may adopt regulations that prescribe the minimum score a pupil must attain on an end-of-course final to receive credit for the course of study for which the end-of-course final is administered.

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.

⑩



ASSEMBLY BILL NO. 54—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Makes various changes relating to education.
(BDR 34-283)

FISCAL NOTE: Effect on Local Government: No.
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; revising provisions governing the compulsory school attendance of certain children; revising the contents required in certain annual reports of accountability of schools and school districts; revising provisions governing the reimbursement of certain hospitals and other facilities for providing educational services to children in their care; revising provisions governing the counting of pupils for purposes of calculating apportionment; requiring written evidence by a qualified physician, mental health professional or behavioral health professional to excuse a child from enrollment in or attendance at school under certain circumstances; requiring a child who has taken a high school equivalency assessment to attend school until receipt of notice of successful completion of the assessment; requiring a county advisory board to review school attendance to reflect the ethnic and geographic diversity of the county; revising provisions governing the absences of pupils; revising provisions governing habitual truancy; authorizing certain written notices and other documents to be made electronically; requiring a school to take certain actions relating to a truant pupil; imposing certain duties relating to chronic absenteeism on the board of trustees of a school district and the Department of Education; repealing certain provisions excusing attendance for certain children; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law requires each school district, each school in the school district and
2 each charter school sponsored by the school district to prepare an annual report of
3 accountability which includes information concerning pupils who are eligible for
4 and receive free or reduced-price breakfasts and lunches. (NRS 385A.270) **Section**
5 **2** of this bill eliminates the requirement to include in such a report information
6 concerning pupils who are eligible for free or reduced-price breakfasts and lunches.

7 Under existing law, certain hospitals and other facilities that provide residential
8 treatment to children and also operate a licensed private school or an accredited
9 educational program approved by the Department of Education are authorized to
10 request reimbursement from the Department for the cost of providing educational
11 services to a child who is verified to be a patient or resident of the hospital or
12 facility, attends the private school or educational program for more than 7 school
13 days and meets certain other requirements. Upon receiving such a request, the
14 Department is required to determine the amount of reimbursement as a percentage
15 of the adjusted base per pupil funding for the school district which the child would
16 otherwise attend if the child were not in the hospital or facility or the statewide base
17 per pupil funding amount for the charter school which the pupil would otherwise
18 attend. (NRS 387.1225) **Section 4** of this bill authorizes the hospital or facility to
19 request reimbursement from the school district or charter school in which the child
20 is enrolled and revises the requirements to request such reimbursement. **Section 4**
21 also revises the method of calculating the amount of reimbursement to base the
22 reimbursement upon a daily rate of the adjusted base per pupil funding for the
23 school district or a daily rate of the statewide base per pupil funding amount or
24 adjusted base per pupil funding for the charter school, as applicable.

25 Existing law requires the State Board of Education to adopt regulations for
26 counting enrollment and calculating the average daily attendance of pupils for
27 apportionment purposes. (NRS 387.123) **Section 5** of this bill requires instead the
28 use of average daily enrollment of pupils for such purposes.

29 Existing law requires, with certain exceptions, each parent, custodial parent,
30 guardian or other person in this State having control or charge of any child between
31 the ages of 7 and 18 years to send the child to a public school during all the time the
32 school is in session. (NRS 392.040) **Section 13** of this bill: (1) clarifies that such a
33 child must also be enrolled in a public school; (2) requires that the child be sent to
34 school for the full school day during all the time the school is in session; and (3)
35 requires the parent or legal guardian of the child to sign a statement or acknowledge
36 via registration on an Internet website maintained by the school district that the
37 parent or legal guardian and the child understand the district's policy concerning
38 attendance. **Sections 1, 3, 6-10, 15, 16, 22, 27, 30, 31 and 34-45** of this bill revise
39 various provisions as they relate to compulsory school attendance to conform with
40 the additional requirements of school enrollment established in **section 13**.

41 Existing law requires that a child be excused from attending public school
42 when satisfactory written evidence is presented to the board of trustees of the
43 school district in which the child resides that the physical or mental condition or
44 behavioral health of the child prevents or renders inadvisable the child's attendance
45 at school. (NRS 392.050) **Section 14** of this bill requires the written evidence to be
46 from a qualified physician, mental health professional or behavioral health
47 professional acting within his or her authorized scope of practice.

48 Existing law provides that compulsory attendance at public school must be
49 excused if a child has obtained permission to take the high school equivalency
50 assessment. (NRS 392.075) **Section 17** of this bill provides that after the child has
51 taken the assessment, school attendance is required until the child receives
52 notification of the successful completion of the assessment.

53 Existing law requires the board of trustees of a school district to prescribe a
54 minimum number of days that a pupil must be in attendance to obtain credit or be



55 promoted to the next higher grade. (NRS 392.122) **Section 18** of this bill authorizes
56 a board of trustees of a school district to adopt a policy prescribing the
57 circumstances under which a pupil will be considered chronically absent. **Section**
58 **18** also: (1) eliminates provisions requiring, under certain circumstances, days on
59 which a pupil's absence is approved by a teacher or principal to be credited towards
60 the required days of attendance; (2) revises the process by which, upon request by
61 the pupil and the parent or legal guardian of a pupil, a principal or principal's
62 designee is required to review and recalculate the number of the pupil's absences
63 for the purposes of determining whether the pupil may obtain credit or be promoted
64 to the next higher grade; and (3) eliminates provisions authorizing the board of
65 trustees of a school district to adopt a policy to exempt pupils who are physically or
66 mentally unable to attend school from certain limitations on absences and certain
67 conditions required in such a policy.

68 Existing law creates in each county at least one advisory board to review school
69 attendance. (NRS 392.126) **Section 19** of this bill requires the membership of each
70 such board to reflect, to the greatest extent possible, the ethnic and geographic
71 diversity of the county.

72 Existing law requires a teacher or principal to give written approval for a pupil
73 to be absent if an emergency exists or upon the request of a parent or legal guardian
74 of the pupil. (NRS 392.130) **Section 20** of this bill: (1) revises this provision to
75 authorize a teacher or principal to give such approval upon the request of a parent
76 or legal guardian, made during the 3 days immediately preceding the requested
77 absence for an emergency; (2) prohibits the approval of absences for more than 10
78 percent of the number of school days in the school year; (3) requires all approved
79 and unapproved absences to be counted for the purposes of determining whether a
80 pupil is chronically absent; and (4) requires the board of trustees of each school
81 district and the governing body of each charter school and university school for
82 profoundly gifted pupils to communicate its policy on truancy and the
83 Department's definition of chronic absenteeism to parents and legal guardians in a
84 language they can understand and provide a parent or legal guardian notice when a
85 pupil is approaching the 10 percent limit in the number of absences that may be
86 approved.

87 **Sections 20, 24-26 and 29** of this bill authorize certain notices, consents,
88 referrals, agreements, reports and other documentation which must be in writing to
89 be made electronically.

90 **Section 21** of this bill revises the circumstances under which a child may be
91 declared a habitual truant and provides an exception for a child who is physically or
92 mentally unable to attend school.

93 Existing law requires a school in which a pupil is enrolled to take reasonable
94 actions designed to encourage, enable or convince the pupil to attend school if the
95 pupil has one or more unapproved absences. (NRS 392.144) **Section 23** of this bill
96 requires the school to take such actions if the pupil has been truant from school.

97 **Section 28** of this bill requires the board of trustees of each school district to:
98 (1) establish procedures to monitor and report chronic absenteeism of pupils; and
99 (2) determine chronic absenteeism of pupils at each school within the district.
100 **Section 28** also requires: (1) the Department to adopt by regulation a definition of
101 the term "chronic absenteeism"; and (2) the board of trustees of each school district
102 to ensure that the actions taken pursuant to that section are consistent with the
103 definition adopted by the Department.

104 **Section 46** of this bill repeals provisions excusing attendance for children: (1)
105 who reside a certain distance from the nearest public school; and (2) between 15
106 and 18 years of age who have completed the first eight grades to enter employment
107 or apprenticeship.



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

1 **Section 1.** NRS 385.007 is hereby amended to read as follows:
2 385.007 As used in this title, unless the context otherwise
3 requires:

4 1. "Challenge school" has the meaning ascribed to it in
5 NRS 388D.305.

6 2. "Charter school" means a public school that is formed
7 pursuant to the provisions of chapter 388A of NRS.

8 3. "Department" means the Department of Education.

9 4. "English learner" has the meaning ascribed to it in 20 U.S.C.
10 § 7801(20).

11 5. "Homeschooled child" means a child who receives
12 instruction at home and who is exempt from compulsory *enrollment*
13 *and* attendance pursuant to NRS 392.070.

14 6. "Local school precinct" has the meaning ascribed to it in
15 NRS 388G.535.

16 7. "Public schools" means all kindergartens and elementary
17 schools, junior high schools and middle schools, high schools,
18 charter schools and any other schools, classes and educational
19 programs which receive their support through public taxation and,
20 except for charter schools, whose textbooks and courses of study are
21 under the control of the State Board.

22 8. "School bus" has the meaning ascribed to it in
23 NRS 484A.230.

24 9. "School counselor" or "counselor" means a person who
25 holds a license issued pursuant to chapter 391 of NRS and an
26 endorsement to serve as a school counselor issued pursuant to
27 regulations adopted by the Commission on Professional Standards
28 in Education or who is otherwise authorized by the Superintendent
29 of Public Instruction to serve as a school counselor.

30 10. "School psychologist" or "psychologist" means a person
31 who holds a license issued pursuant to chapter 391 of NRS and an
32 endorsement to serve as a school psychologist issued pursuant to
33 regulations adopted by the Commission on Professional Standards
34 in Education or who is otherwise authorized by the Superintendent
35 of Public Instruction to serve as a school psychologist.

36 11. "School social worker" or "social worker" means a social
37 worker licensed pursuant to chapter 641B of NRS who holds a
38 license issued pursuant to chapter 391 of NRS and an endorsement
39 to serve as a school social worker issued pursuant to regulations
40 adopted by the Commission on Professional Standards in Education
41 or who is otherwise authorized by the Superintendent of Public
42 Instruction to serve as a school social worker.



1 12. "State Board" means the State Board of Education.
2 13. "University school for profoundly gifted pupils" has the
3 meaning ascribed to it in NRS 388C.040.

4 **Sec. 2.** NRS 385A.270 is hereby amended to read as follows:

5 385A.270 1. The annual report of accountability prepared
6 pursuant to NRS 385A.070 must include, for each school in the
7 district and the district as a whole, including, without limitation,
8 each charter school sponsored by the district, information
9 concerning pupils who ~~are eligible for~~ *receive* free or reduced-
10 price breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils
11 who ~~are eligible for~~ *receive* free or reduced-price lunches pursuant
12 to 42 U.S.C. §§ 1751 et seq., including, without limitation:

13 (a) ~~The number and percentage of pupils who are eligible for~~
14 ~~free or reduced-price breakfasts;~~

15 ~~—(b)—~~ The percentage of pupils who receive free and reduced-
16 price breakfasts;

17 ~~[(c) The number and percentage of pupils who are eligible for~~
18 ~~free or reduced-price lunches;~~

19 ~~—(d)—~~ *and*

20 (b) The percentage of pupils who receive free and reduced-price
21 lunches. ~~;~~

22 ~~—(e) A comparison of the achievement and proficiency of pupils,~~
23 ~~reported separately by race and ethnicity, who are eligible for free or~~
24 ~~reduced-price breakfasts, pupils who receive free and reduced-price~~
25 ~~breakfasts, pupils who are eligible for free or reduced-price lunches,~~
26 ~~pupils who receive free and reduced-price lunches and pupils who~~
27 ~~are not eligible for free or reduced-price breakfasts or lunches;~~

28 ~~—(f) A comparison of pupils, reported separately by race and~~
29 ~~ethnicity, who are eligible for free or reduced-price breakfasts,~~
30 ~~pupils who receive free and reduced-price breakfasts, pupils who are~~
31 ~~eligible for free or reduced-price lunches and pupils who receive~~
32 ~~free and reduced-price lunches for which data is required to be~~
33 ~~collected in the following areas:~~

34 ~~—(1) Retention rates;~~

35 ~~—(2) Graduation rates;~~

36 ~~—(3) Dropout rates;~~

37 ~~—(4) Grade point averages; and~~

38 ~~—(5) Except as otherwise provided in subsection 6 of NRS~~
39 ~~390.105, scores on the examinations administered pursuant to NRS~~
40 ~~390.105 and the college and career readiness assessment~~
41 ~~administered pursuant to NRS 390.610.]~~

42 2. The State Board may adopt any regulations necessary to
43 carry out the provisions of this section.



1 **Sec. 3.** NRS 385B.020 is hereby amended to read as follows:
2 385B.020 “Pupil” means a student of a school or a child that
3 receives instruction at home and is excused from compulsory
4 *enrollment and* attendance pursuant to NRS 392.070.

5 **Sec. 4.** NRS 387.1225 is hereby amended to read as follows:
6 387.1225 1. A hospital or other facility which is licensed by
7 the Division of Public and Behavioral Health of the Department of
8 Health and Human Services that provides residential treatment to
9 children and which operates a private school licensed pursuant to
10 chapter 394 of NRS may request reimbursement from the
11 ~~{Department}~~ *school district or charter school in which a child is*
12 *enrolled* for the cost of providing educational services to ~~{a}~~ *the*
13 child ~~{who:}~~ *if:*

14 (a) The ~~{Department}~~ *school district or charter school* verifies
15 *that the child* is a patient or resident of the hospital or facility; and

16 (b) ~~{Attends}~~ *The child attends* the private school for more than
17 7 school days.

18 2. A hospital or other facility licensed in the District of
19 Columbia or any state or territory of the United States that provides
20 residential treatment and which operates an educational program
21 accredited by a national organization and approved by the
22 Department of Education may request reimbursement from the
23 ~~{Department}~~ *school district or charter school in which a child is*
24 *enrolled* for the cost of providing educational services to ~~{a}~~ *the*
25 child ~~{who:}~~ *if:*

26 (a) The Department ~~{verifies:}~~ *and the school district or charter*
27 *school, as applicable, verify that the child:*

28 (1) Is a patient or resident of the hospital or facility; and

29 (2) Is a resident of this State; *and*

30 (b) *The child:*

31 (1) Is admitted to the hospital or facility (1) on an order from a
32 physician because the necessary treatment required for the child is
33 not available in this State;

34 ~~{e)}~~ (2) Attends the accredited educational program for more
35 than 7 school days;

36 ~~{d)}~~ (3) Is not homeschooled or enrolled in a private school;
37 and

38 ~~{e)}~~ (4) Has been admitted to the medical facility under the
39 order of a physician to receive medically necessary treatment for a
40 medical or mental health condition with which the child has been
41 diagnosed.

42 3. A hospital or other facility that wishes to receive
43 reimbursement pursuant to subsection 2 shall:



1 (a) Notify the *Department and the* school district or charter
2 school in which the child is enrolled upon admitting the child to the
3 accredited educational program; and

4 (b) Transfer any educational records of the child to the school
5 district or charter school in which the child is enrolled in accordance
6 with any applicable regulations adopted pursuant to subsection 9.

7 4. Upon receiving a request for reimbursement pursuant to
8 subsection 1 or 2, the ~~[Department]~~ *school district or charter school*
9 *in which the child is enrolled* shall determine the amount of
10 reimbursement to which the hospital or facility is entitled ~~[as a~~
11 ~~percentage]~~ *by multiplying the number of days determined*
12 *pursuant to subsection 6 by the following, as applicable:*

13 (a) *The daily rate* of the adjusted base per pupil funding for the
14 school district which the child would otherwise attend . ~~[or]~~ *The*
15 *daily rate of the adjusted base per pupil funding for the school*
16 *district which the child would otherwise attend must be calculated*
17 *by dividing the adjusted base per pupil funding provided to the*
18 *school district in which the child is enrolled pursuant to NRS*
19 *387.1214 by 180.*

20 (b) *The daily rate of* the statewide base per pupil funding
21 amount *or adjusted base per pupil funding, as applicable,* for the
22 charter school which the child would otherwise attend . ~~[, as~~
23 ~~applicable.]~~ *The daily rate of the statewide base per pupil funding*
24 *amount or adjusted base per pupil funding, as applicable, for the*
25 *charter school which the child would otherwise attend must be*
26 *calculated by dividing the statewide base per pupil funding*
27 *amount or adjusted base per pupil funding, as applicable, provided*
28 *to the charter school in which the child is enrolled pursuant to*
29 *NRS 387.1214 by 180.*

30 5. If the request for reimbursement is made pursuant to
31 subsection 1, the child is a pupil with a disability and the hospital or
32 facility is in compliance with the Individuals with Disabilities
33 Education Act, 20 U.S.C. §§ 1400 et seq., NRS 388.417 to
34 388.5243, inclusive, and any regulations adopted pursuant thereto,
35 the hospital or facility is also entitled to ~~[a corresponding percentage~~
36 ~~of]~~ *an amount determined by increasing the daily rate determined*
37 *pursuant to subsection 4 by the statewide multiplier for the pupil*
38 *established pursuant to NRS 387.122, which is [withheld from]*
39 *received by the school district or charter school where the child was*
40 *enrolled before being placed in the hospital or facility [] for the*
41 *number of days determined pursuant to subsection 6.* The
42 Department shall distribute the money withheld from the school
43 district or charter school to the hospital or facility.

44 6. For the purposes of subsections 4 and 5, the amount of
45 reimbursement to which the hospital or facility is entitled must be



1 calculated on the basis of the number of school days the child is a
2 patient or resident of the hospital or facility and attends the private
3 school or accredited educational program, as applicable, excluding
4 the 7 school days prescribed in paragraph (b) of subsection 1 or
5 *subparagraph (2) of paragraph (e) (b)* of subsection 2, as
6 applicable. ~~[, in proportion to the number of days of instruction
7 scheduled for that school year by the board of trustees of the school
8 district or the charter school, as applicable.]~~

9 7. A hospital or other facility is not entitled to reimbursement
10 for days of instruction provided to a child in a year in excess of the
11 minimum number of days of free school required by NRS 388.090.

12 8. If a hospital or other facility requests reimbursement from
13 ~~[the Department]~~ *a school district or charter school* for the cost of
14 providing educational services to a pupil with a disability pursuant
15 to subsection 1 or 2, the school district or charter school in which
16 the child is enrolled shall be deemed to be the local educational
17 agency for the child for the purposes of the Individuals with
18 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., NRS 388.417
19 to 388.5243, inclusive, and any regulations adopted pursuant
20 thereto.

21 9. The Department shall adopt any regulations necessary to
22 carry out the provisions of this section, which may include, without
23 limitation, regulations to:

24 (a) Prescribe a procedure for the transfer of educational records
25 pursuant to subsection 3;

26 (b) Carry out or ensure compliance with the requirements of
27 subsections 4 and 5 concerning reimbursement for educational
28 services provided to a pupil with a disability; and

29 (c) Require the auditing of ~~[a]~~:

30 (1) *A hospital or other facility that requests reimbursement ;*
31 *and*

32 (2) *A school district or charter school from which*
33 *reimbursement is requested,*

34 *↪* pursuant to this section to ensure compliance with any applicable
35 provisions of federal or state law.

36 10. The provisions of this section must not be construed to
37 authorize reimbursement pursuant to this section of a hospital or
38 facility for the cost of health care services provided to a child.

39 11. As used in this section:

40 (a) "Hospital" has the meaning ascribed to it in NRS 449.012.

41 (b) "Private school" has the meaning ascribed to it in
42 NRS 394.103.

43 **Sec. 5.** NRS 387.123 is hereby amended to read as follows:

44 387.123 1. The count of pupils for apportionment purposes
45 includes all pupils who are enrolled in programs of instruction of the



1 school district, including, without limitation, a program of distance
2 education provided by the school district, pupils who reside in the
3 county in which the school district is located and are enrolled in any
4 charter school, including, without limitation, a program of distance
5 education provided by a charter school, pupils who are enrolled in a
6 university school for profoundly gifted pupils located in the county
7 and pupils who are enrolled in a challenge school located in the
8 county, for:

9 (a) Pupils in the kindergarten department.

10 (b) Pupils in grades 1 to 12, inclusive.

11 (c) Pupils not included under paragraph (a) or (b) who are
12 receiving special education pursuant to the provisions of NRS
13 388.417 to 388.469, inclusive, and 388.5251 to 388.5267, inclusive.

14 (d) Pupils who reside in the county and are enrolled part-time in
15 a program of distance education provided pursuant to NRS 388.820
16 to 388.874, inclusive.

17 (e) Children detained in facilities for the detention of children,
18 alternative programs and juvenile forestry camps receiving
19 instruction pursuant to the provisions of NRS 388.550, 388.560 and
20 388.570.

21 (f) Pupils who are enrolled in classes pursuant to subsection 1 of
22 NRS 388A.471 and pupils who are enrolled in classes pursuant to
23 subsection 1 of NRS 388A.474.

24 (g) Pupils who are enrolled in classes pursuant to subsection 1
25 of NRS 392.074.

26 (h) Pupils who are enrolled in classes and taking courses
27 necessary to receive a high school diploma, excluding those pupils
28 who are included in paragraphs (d), (f) and (g).

29 (i) Pupils who are enrolled in a challenge school.

30 2. The State Board shall establish uniform regulations for
31 counting enrollment and calculating the average daily ~~attendance~~
32 **enrollment** of pupils. Except as otherwise provided in this
33 subsection, in establishing such regulations for the public schools,
34 the State Board:

35 (a) May divide the pupils in grades 1 to 12, inclusive, into
36 categories composed respectively of those enrolled in elementary
37 schools and those enrolled in secondary schools.

38 (b) Shall prohibit the counting of any pupil specified in
39 subsection 1 more than once.

40 (c) Except as otherwise provided in this paragraph, shall prohibit
41 the counting of a pupil enrolled in grade 12 as a full-time pupil if the
42 pupil is not prepared for college and career success, as defined by
43 the Department. Such a pupil may be counted as a full-time pupil if
44 he or she is enrolled in a minimum of six courses or the equivalent



1 of six periods per day or the superintendent of the school district has
2 approved enrollment in fewer courses for good cause.

3 **Sec. 6.** NRS 388.850 is hereby amended to read as follows:

4 388.850 1. A pupil may enroll in a program of distance
5 education if:

6 (a) Pursuant to this section or other specific statute, the pupil is
7 eligible for enrollment or the pupil's enrollment is not otherwise
8 prohibited;

9 (b) The program of distance education in which the pupil wishes
10 to enroll is offered by the school district in which the pupil resides
11 or a charter school or, if the program of distance education in which
12 the pupil wishes to enroll is a full-time program of distance
13 education offered by a school district other than the school district in
14 which the pupil resides, the program is not the same or substantially
15 similar to a program of distance education offered by the school
16 district in which the pupil resides;

17 (c) The pupil satisfies the qualifications and conditions for
18 enrollment adopted by the State Board pursuant to NRS 388.874;
19 and

20 (d) The pupil satisfies the requirements of the program of
21 distance education.

22 2. A child who is exempt from compulsory *enrollment and*
23 attendance and is enrolled in a private school pursuant to chapter
24 394 of NRS or is being homeschooled is not eligible to enroll in or
25 ~~otherwise~~ attend a program of distance education, regardless of
26 whether the child is otherwise eligible for enrollment pursuant to
27 subsection 1.

28 3. If a pupil who is prohibited from *enrolling in and* attending
29 public school pursuant to NRS 392.264 enrolls in a program of
30 distance education, the enrollment and attendance of that pupil must
31 comply with all requirements of NRS 62F.100 to 62F.150,
32 inclusive, and 392.251 to 392.271, inclusive.

33 4. A pupil who is enrolled in grade 12 in a program of distance
34 education and who moves out of this State is eligible to maintain
35 enrollment in the program of distance education until the pupil
36 graduates from high school.

37 **Sec. 7.** NRS 388A.366 is hereby amended to read as follows:

38 388A.366 1. A charter school shall:

39 (a) Comply with all laws and regulations relating to
40 discrimination and civil rights.

41 (b) Remain nonsectarian, including, without limitation, in its
42 educational programs, policies for admission and employment
43 practices.



1 (c) Refrain from charging tuition or fees, except for tuition or
2 fees that the board of trustees of a school district is authorized to
3 charge, levying taxes or issuing bonds.

4 (d) Comply with any plan for desegregation ordered by a court
5 that is in effect in the school district in which the charter school is
6 located.

7 (e) Comply with the provisions of chapter 241 of NRS.

8 (f) Except as otherwise provided in this paragraph, schedule and
9 provide annually at least as many days of instruction as are required
10 of other public schools located in the same school district as the
11 charter school is located. The governing body of a charter school
12 may submit a written request to the Superintendent of Public
13 Instruction for a waiver from providing the days of instruction
14 required by this paragraph. The Superintendent of Public Instruction
15 may grant such a request if the governing body demonstrates to the
16 satisfaction of the Superintendent that:

17 (1) Extenuating circumstances exist to justify the waiver; and

18 (2) The charter school will provide at least as many hours or
19 minutes of instruction as would be provided under a program
20 consisting of 180 days.

21 (g) Cooperate with the board of trustees of the school district in
22 the administration of the examinations administered pursuant to
23 NRS 390.105 and, if the charter school enrolls pupils at a high
24 school grade level, the college and career readiness assessment
25 administered pursuant to NRS 390.610 to the pupils who are
26 enrolled in the charter school.

27 (h) Comply with applicable statutes and regulations governing
28 the achievement and proficiency of pupils in this State.

29 (i) Provide instruction in the core academic subjects set forth in
30 subsection 1 of NRS 389.018, as applicable for the grade levels of
31 pupils who are enrolled in the charter school, and provide at least
32 the courses of study that are required of pupils by statute or
33 regulation for promotion to the next grade or graduation from a
34 public high school and require the pupils who are enrolled in the
35 charter school to take those courses of study. This paragraph does
36 not preclude a charter school from offering, or requiring the pupils
37 who are enrolled in the charter school to take, other courses of study
38 that are required by statute or regulation.

39 (j) If the parent or legal guardian of a child submits an
40 application to enroll in kindergarten, first grade or second grade at
41 the charter school, comply with NRS 392.040 regarding the ages for
42 enrollment in those grades.

43 (k) Refrain from using public money to purchase real property
44 or buildings without the approval of the sponsor.



1 (l) Hold harmless, indemnify and defend the sponsor of the
2 charter school against any claim or liability arising from an act or
3 omission by the governing body of the charter school or an
4 employee or officer of the charter school. An action at law may not
5 be maintained against the sponsor of a charter school for any cause
6 of action for which the charter school has obtained liability
7 insurance.

8 (m) Provide written notice to the parents or legal guardians of
9 pupils in grades 9 to 12, inclusive, who are enrolled in the charter
10 school of whether the charter school is accredited by the Northwest
11 Accreditation Commission.

12 (n) Adopt a final budget in accordance with the regulations
13 adopted by the Department. A charter school is not required to adopt
14 a final budget pursuant to NRS 354.598 or otherwise comply with
15 the provisions of chapter 354 of NRS.

16 (o) If the charter school provides a program of distance
17 education pursuant to NRS 388.820 to 388.874, inclusive, comply
18 with all statutes and regulations that are applicable to a program of
19 distance education for purposes of the operation of the program.

20 2. A charter school shall not provide instruction through a
21 program of distance education to children who are exempt from
22 compulsory *enrollment and* attendance pursuant to NRS 392.070.
23 As used in this subsection, "distance education" has the meaning
24 ascribed to it in NRS 388.826.

25 **Sec. 8.** NRS 388A.411 is hereby amended to read as follows:

26 388A.411 1. Each pupil who is enrolled in a charter school,
27 including, without limitation, a pupil who is enrolled in a program
28 of special education in a charter school, must be included in the
29 count of pupils in the charter school for the purposes of
30 apportionments and allowances from the State Education Fund
31 pursuant to NRS 387.121 to 387.12468, inclusive, unless the pupil is
32 exempt from compulsory *enrollment and* attendance pursuant to
33 NRS 392.070. A charter school is entitled to receive its
34 proportionate share of any other money available from federal, state
35 or local sources that the school or the pupils who are enrolled in the
36 school are eligible to receive.

37 2. The State Board shall prescribe a process which ensures that
38 all charter schools, regardless of the sponsor, have information
39 about all sources of funding for the public schools provided through
40 the Department.

41 3. All money received by the charter school from this State or
42 from the board of trustees of a school district must be deposited in
43 an account with a bank, credit union or other financial institution in
44 this State. The governing body of a charter school may negotiate
45 with the board of trustees of the school district and the State Board



1 for additional money to pay for services which the governing body
2 wishes to offer.

3 4. The governing body of a charter school may solicit and
4 accept donations, money, grants, property, loans, personal services
5 or other assistance for purposes relating to education from members
6 of the general public, corporations or agencies. The governing body
7 may comply with applicable federal laws and regulations governing
8 the provision of federal grants for charter schools. The State Public
9 Charter School Authority may assist a charter school that operates
10 exclusively for the enrollment of pupils who receive special
11 education in identifying sources of money that may be available
12 from the Federal Government or this State for the provision of
13 educational programs and services to such pupils.

14 **Sec. 9.** NRS 388C.260 is hereby amended to read as follows:

15 388C.260 1. Each pupil who is enrolled in a university
16 school for profoundly gifted pupils, including, without limitation, a
17 pupil who is enrolled in a program of special education in a
18 university school for profoundly gifted pupils, must be included in
19 the count of pupils in the university school for the purposes of
20 apportionments and allowances from the State Education Fund
21 pursuant to NRS 387.121 to 387.12468, inclusive, unless the pupil is
22 exempt from compulsory school *enrollment and* attendance
23 pursuant to NRS 392.070.

24 2. A university school for profoundly gifted pupils is entitled to
25 receive its proportionate share of any other money available from
26 federal, state or local sources that the school or the pupils who are
27 enrolled in the school are eligible to receive.

28 3. All money received by a university school for profoundly
29 gifted pupils from this State or from the board of trustees of a school
30 district must be deposited in an account with a bank, credit union or
31 other financial institution in this State.

32 4. The governing body of a university school for profoundly
33 gifted pupils may negotiate with the board of trustees of the school
34 district in which the school is located or the State Board for
35 additional money to pay for services that the governing body wishes
36 to offer.

37 5. To determine the amount of money for distribution to a
38 university school for profoundly gifted pupils in its first year of
39 operation in which state funding is provided, the count of pupils
40 who are enrolled in the university school must initially be
41 determined 30 days before the beginning of the school year of the
42 school district in which the university school is located, based upon
43 the number of pupils whose applications for enrollment have been
44 approved by the university school. The count of pupils who are
45 enrolled in a university school for profoundly gifted pupils must be



1 revised each quarter based upon the average daily enrollment of
2 pupils in the university school reported for the preceding quarter
3 pursuant to subsection 1 of NRS 387.1223.

4 6. Pursuant to NRS 387.1242, the governing body of a
5 university school for profoundly gifted pupils may request that the
6 apportionments made to the university school in its first year of
7 operation be paid to the university school 30 days before the
8 apportionments are otherwise required to be made.

9 7. If a university school for profoundly gifted pupils ceases to
10 operate pursuant to this chapter during a school year, the remaining
11 apportionments that would have been made to the university school
12 pursuant to NRS 387.124 and 387.1242 for that school year must be
13 paid on a proportionate basis to the school districts where the pupils
14 who were enrolled in the university school reside.

15 8. If the governing body of a university school for profoundly
16 gifted pupils uses money received from this State to purchase real
17 property, buildings, equipment or facilities, the governing body of
18 the university school shall assign a security interest in the property,
19 buildings, equipment and facilities to the State of Nevada.

20 **Sec. 10.** NRS 388D.020 is hereby amended to read as follows:

21 388D.020 1. If the parent of a child who is subject to
22 compulsory *enrollment and* attendance wishes to homeschool the
23 child, the parent must file with the superintendent of schools of the
24 school district in which the child resides a written notice of intent to
25 homeschool the child. The Department shall develop a standard
26 form for the notice of intent to homeschool. The form must not
27 require any information or assurances that are not otherwise
28 required by this section or other specific statute. The board of
29 trustees of each school district shall, in a timely manner, make only
30 the form developed by the Department available to parents who
31 wish to homeschool their child.

32 2. The notice of intent to homeschool must be filed before
33 beginning to homeschool the child or:

34 (a) Not later than 10 days after the child has been formally
35 withdrawn from enrollment in public school; or

36 (b) Not later than 30 days after establishing residency in this
37 State.

38 3. The purpose of the notice of intent to homeschool is to
39 inform the school district in which the child resides that the child is
40 exempt from the requirement of compulsory *enrollment and*
41 attendance.

42 4. If the name or address of the parent or child as indicated on a
43 notice of intent to homeschool changes, the parent must, not later
44 than 30 days after the change, file a new notice of intent to



1 homeschool with the superintendent of schools of the school district
2 in which the child resides.

3 5. A notice of intent to homeschool must include only the
4 following:

5 (a) The full name, age and gender of the child;

6 (b) The name and address of each parent filing the notice of
7 intent to homeschool;

8 (c) A statement signed and dated by each such parent declaring
9 that the parent has control or charge of the child and the legal right
10 to direct the education of the child, and assumes full responsibility
11 for the education of the child while the child is being homeschooled;

12 (d) An educational plan for the child that is prepared pursuant to
13 NRS 388D.050;

14 (e) If applicable, the name of the public school in this State
15 which the child most recently attended; and

16 (f) An optional statement that the parent may sign which
17 provides:

18
19 I expressly prohibit the release of any information contained
20 in this document, including, without limitation, directory
21 information as defined in 20 U.S.C. § 1232g(a)(5)(A),
22 without my prior written consent.
23

24 6. Each superintendent of schools of a school district shall
25 accept notice of intent to homeschool that is filed with the
26 superintendent pursuant to this section and meets the requirements
27 of subsection 5, and shall not require or request any additional
28 information or assurances from the parent who filed the notice.

29 7. The school district shall provide to a parent who files a
30 notice a written acknowledgment which clearly indicates that the
31 parent has provided notification required by law and that the child is
32 being homeschooled. The written acknowledgment shall be deemed
33 proof of compliance with Nevada's compulsory school *enrollment*
34 *and* attendance law. The school district shall retain a copy of the
35 written acknowledgment for not less than 15 years. The written
36 acknowledgment may be retained in electronic format.

37 **Sec. 11.** NRS 388D.200 is hereby amended to read as follows:

38 388D.200 ~~[H-]~~ Except as otherwise provided in this
39 ~~[subsection,]~~ *section*, if a child is exempt from compulsory
40 *enrollment and* attendance pursuant to NRS 392.070 ~~[or 392.110,]~~
41 and the child is employed to work in the entertainment industry
42 pursuant to a written contract for a period of more than 91 school
43 days, or its equivalent if the child resides in a school district
44 operating under an alternative schedule authorized pursuant to NRS
45 388.090, including, without limitation, employment with a motion



1 picture company or employment with a production company hired
2 by a casino or resort hotel, the entity that employs the child shall,
3 upon the request of the parent or legal guardian of the child, pay the
4 costs for the child to receive at least 3 hours of tutoring per day for
5 at least 5 days per week. In lieu of tutoring, the parent or legal
6 guardian of such a child may agree with the entity that employs the
7 child that the entity will pay the costs for the child to receive other
8 educational or instructional services which are equivalent to
9 tutoring. The provisions of this ~~[subsection]~~ *section* apply during the
10 period of a child's employment with an entity, regardless of whether
11 the child has obtained the appropriate exemption from compulsory
12 *enrollment and* attendance at the time his or her contract with the
13 entity is under negotiation.

14 ~~[2. If such a child is exempt from compulsory attendance~~
15 ~~pursuant to NRS 392.110, the tutoring or other educational or~~
16 ~~instructional services received by the child pursuant to subsection 1~~
17 ~~must be approved by the board of trustees of the school district in~~
18 ~~which the child resides.]~~

19 **Sec. 12.** NRS 392.016 is hereby amended to read as follows:

20 392.016 1. If a pupil has been issued a fictitious address
21 pursuant to NRS 217.462 to 217.471, inclusive, or the parent or
22 legal guardian with whom the pupil resides has been issued a
23 fictitious address pursuant to NRS 217.462 to 217.471, inclusive,
24 the pupil may attend a public school that is located in a school
25 district other than the school district in which the pupil resides.

26 2. If a pupil described in subsection 1 attends a public school
27 that is located in a school district other than the school district in
28 which the pupil resides:

29 (a) The pupil must be included in the count of pupils of the
30 school district in which the pupil attends school for the purposes of
31 apportionments and allowances from the State Education Fund
32 pursuant to NRS 387.121 to 387.12468, inclusive.

33 (b) Neither the board of trustees of the school district in which
34 the pupil attends school nor the board of trustees of the school
35 district in which the pupil resides is required to provide
36 transportation for the pupil to attend the public school.

37 3. The provisions of this section do not apply to a pupil who is
38 ineligible to *enroll in or* attend a public school pursuant to NRS
39 392.264 or 392.4675.

40 **Sec. 13.** NRS 392.040 is hereby amended to read as follows:

41 392.040 1. Except as otherwise provided by law, each parent,
42 custodial parent, guardian or other person in the State of Nevada
43 having control or charge of any child between the ages of 7 and 18
44 years shall *enroll the child in a public school and* send the child to
45 ~~[a]~~ *the public school for the full school day* during all the time the



1 public school is in session in the school district in which the child
2 resides unless the child has graduated from high school.

3 2. A child who is 5 years of age on or before the first day of a
4 school year may be admitted to kindergarten at the beginning of that
5 school year, and the child's enrollment must be counted for
6 purposes of apportionment. If a child is not 5 years of age on or
7 before the first day of a school year, the child must not be admitted
8 to kindergarten.

9 3. Except as otherwise provided in subsection 4, a child who is
10 6 years of age on or before the first day of a school year must:

11 (a) If the child has not completed kindergarten, be admitted to
12 kindergarten at the beginning of that school year; or

13 (b) If the child has completed kindergarten, be admitted to the
14 first grade at the beginning of that school year,

15 ➔ and the child's enrollment must be counted for purposes of
16 apportionment. If a child is not 6 years of age on or before the first
17 day of a school year, the child must not be admitted to the first grade
18 until the beginning of the school year following the child's sixth
19 birthday.

20 4. The parents, custodial parent, guardian or other person
21 within the State of Nevada having control or charge of a child who
22 is 6 years of age on or before the first day of a school year may elect
23 for the child not to *enroll in and* attend kindergarten or the first
24 grade during that year. The parents, custodial parent, guardian or
25 other person who makes such an election shall file with the board of
26 trustees of the appropriate school district a waiver in a form
27 prescribed by the board.

28 5. Whenever a child who is 6 years of age is enrolled in a
29 public school, each parent, custodial parent, guardian or other
30 person in the State of Nevada having control or charge of the child
31 shall send the child to the public school *for the full school day*
32 during all the time the school is in session. If the board of trustees of
33 a school district has adopted a policy prescribing a minimum
34 number of days of attendance for pupils enrolled in kindergarten or
35 first grade pursuant to NRS 392.122, the school district shall
36 provide to each parent and legal guardian of a pupil who elects to
37 enroll his or her child in kindergarten or first grade a written
38 document containing a copy of that policy and a copy of the policy
39 of the school district concerning the withdrawal of pupils from
40 kindergarten or first grade. Before the child's first day of attendance
41 at a school, the parent or legal guardian shall sign a statement on a
42 form provided by the school district acknowledging *or acknowledge*
43 *via registration on an Internet website maintained by the school*
44 *district* that he or she has read and understands the policy
45 concerning attendance , *the child understands the policy*



1 *concerning attendance* and *the parent or legal guardian, as*
2 *applicable, has read and understands* the policy concerning
3 withdrawal of pupils from kindergarten or first grade. The parent or
4 legal guardian shall comply with the applicable requirements for
5 attendance. This requirement for attendance does not apply to any
6 child under the age of 7 years who has not yet been enrolled or has
7 been formally withdrawn from enrollment in public school.

8 6. A child who is 7 years of age on or before the first day of a
9 school year must:

10 (a) If the child has completed kindergarten and the first grade,
11 be admitted to the second grade.

12 (b) If the child has completed kindergarten, be admitted to the
13 first grade.

14 (c) If the parents, custodial parent, guardian or other person in
15 the State of Nevada having control or charge of the child waived the
16 child's *enrollment and* attendance from kindergarten pursuant to
17 subsection 4, undergo an assessment by the district pursuant to
18 subsection 7 to determine whether the child is prepared
19 developmentally to be admitted to the first grade. If the district
20 determines that the child is prepared developmentally, the child
21 must be admitted to the first grade. If the district determines that the
22 child is not so prepared, he or she must be admitted to kindergarten.

23 ↪ The enrollment of any child pursuant to this subsection must be
24 counted for apportionment purposes.

25 7. Each school district shall prepare and administer before the
26 beginning of each school year a developmental screening test to a
27 child:

28 (a) Who is 7 years of age on or before the first day of the next
29 school year; and

30 (b) Whose parents waived the child's *enrollment and*
31 attendance from kindergarten pursuant to subsection 4,

32 ↪ to determine whether the child is prepared developmentally to be
33 admitted to the first grade. The results of the test must be made
34 available to the parents, custodial parent, guardian or other person
35 within the State of Nevada having control or charge of the child.

36 8. Except as otherwise provided in subsection 9, a child who
37 becomes a resident of this State after completing kindergarten or
38 beginning first grade in another state in accordance with the laws of
39 that state may be admitted to the grade the child was attending or
40 would be attending had he or she remained a resident of the other
41 state regardless of his or her age, unless the board of trustees of the
42 school district determines that the requirements of this section are
43 being deliberately circumvented.

44 9. Pursuant to the provisions of NRS 388F.010, a child who
45 transfers to a school in this State from a school outside this State



1 because of the military transfer of the parent or legal guardian of the
2 child must be admitted to:

3 (a) The grade, other than kindergarten, the child was attending
4 or would be attending had he or she remained a resident of the other
5 state, regardless of the child's age.

6 (b) Kindergarten, if the child was enrolled in kindergarten in
7 another state in accordance with the laws of that state, regardless of
8 the child's age.

9 10. As used in this section, "kindergarten" includes:

10 (a) A kindergarten established by the board of trustees of a
11 school district pursuant to NRS 388.060;

12 (b) A kindergarten established by the governing body of a
13 charter school; and

14 (c) An authorized program of instruction for kindergarten
15 offered in a child's home pursuant to NRS 388.060.

16 **Sec. 14.** NRS 392.050 is hereby amended to read as follows:

17 392.050 1. A child must be excused from *enrollment or*
18 attendance required by the provisions of NRS 392.040 when
19 ~~[satisfactory]~~ written evidence *from a qualified physician, mental*
20 *health professional or behavioral health professional acting*
21 *within his or her authorized scope of practice* is presented to the
22 board of trustees of the school district in which the child resides that
23 the child's physical or mental condition or behavioral health is such
24 as to prevent or render inadvisable the child's *enrollment in or*
25 attendance at school or his or her application to study.

26 2. ~~[A certificate in writing from any qualified physician,~~
27 ~~mental health professional or behavioral health professional acting~~
28 ~~within his or her authorized scope of practice, filed with the board of~~
29 ~~trustees immediately after its receipt, stating that the child is not~~
30 ~~able to attend school or that the child's attendance is inadvisable~~
31 ~~must be taken as satisfactory evidence by the board of trustees.~~

32 ~~—3.]~~ A board of trustees of a school district which has excused
33 from *enrollment or* attendance pursuant to subsection 1 a child who,
34 pursuant to NRS 388.417, qualifies as a pupil with a disability, shall
35 make available to the child a free appropriate public education in
36 compliance with the Individuals with Disabilities Education Act (20
37 U.S.C. §§ 1400 et seq.), as that act existed on July 1, 1995.

38 ~~[4.]~~ 3. If a pupil is excused from *enrollment or* attendance
39 pursuant to subsection 1, the excusal must not negatively affect the
40 rating of a public school as determined by the Department pursuant
41 to the statewide system of accountability for public schools.

42 **Sec. 15.** NRS 392.060 is hereby amended to read as follows:

43 392.060 ~~[Attendance]~~ *Enrollment and attendance* required by
44 the provisions of NRS 392.040 shall be excused when satisfactory
45 written evidence is presented to the board of trustees of the school



1 district in which the child resides that the child has already
2 completed the 12 grades of the elementary and high school courses.

3 **Sec. 16.** NRS 392.070 is hereby amended to read as follows:

4 392.070 ~~[Attendance]~~ *Enrollment and attendance* of a child
5 required by the provisions of NRS 392.040 must be excused when:

6 1. The child is enrolled in a private school pursuant to chapter
7 394 of NRS; or

8 2. A parent of the child chooses to provide education to the
9 child and files a notice of intent to homeschool the child with the
10 superintendent of schools of the school district in which the child
11 resides in accordance with NRS 388D.020.

12 **Sec. 17.** NRS 392.075 is hereby amended to read as follows:

13 392.075 ~~[Attendance]~~

14 *1. Except as otherwise provided in subsection 2, enrollment*
15 *and attendance* required by the provisions of NRS 392.040 must be
16 excused if a child has obtained permission to take the high school
17 equivalency assessment pursuant to NRS 390.055.

18 *2. After a child has taken the high school equivalency*
19 *assessment, the child shall enroll in and attend school pursuant to*
20 *the provisions of NRS 392.040 until the child receives notification*
21 *that the child has successfully completed the assessment.*

22 **Sec. 18.** NRS 392.122 is hereby amended to read as follows:

23 392.122 1. Except as otherwise provided in NRS 389.320,
24 the board of trustees of each school district shall prescribe a
25 minimum number of days that a pupil who is subject to compulsory
26 *enrollment and* attendance and enrolled in a school in the district
27 must be in attendance for the pupil to obtain credit or to be
28 promoted to the next higher grade. The board of trustees of a school
29 district may adopt a policy prescribing ~~[a]~~ :

30 (a) A minimum number of days that a pupil who is enrolled in
31 kindergarten or first grade in the school district must be in
32 attendance for the pupil to obtain credit or to be promoted to the
33 next higher grade.

34 (b) *The circumstances under which a pupil will be considered*
35 *chronically absent by the Department.*

36 2. ~~[For the purposes of this section, the days on which a pupil~~
37 ~~is not in attendance because the pupil is absent for up to 10 days~~
38 ~~within 1 school year with the approval of the teacher or principal of~~
39 ~~the school pursuant to NRS 392.130, must be credited towards the~~
40 ~~required days of attendance if the pupil has completed course work~~
41 ~~requirements. The teacher or principal of the school may approve~~
42 ~~the absence of a pupil for deployment activities of the parent or~~
43 ~~legal guardian of the pupil, as defined in NRS 388F.010. If the~~
44 ~~board of trustees of a school district has adopted a policy pursuant to~~



~~subsection 5, the 10 day limitation on absences does not apply to absences that are excused pursuant to that policy.~~

~~3. Except as otherwise provided in subsection 5, before] Before a pupil is denied credit or promotion to the next higher grade for failure to comply with the attendance requirements prescribed pursuant to subsection 1, the principal of the school in which the pupil is enrolled or the principal's designee shall provide written notice of the intended denial to the parent or legal guardian of the pupil. The notice must include a statement indicating that the pupil and the pupil's parent or legal guardian may request a review of the absences of the pupil and a statement of the procedure for requesting such a review. Upon the request for a review by the pupil and the pupil's parent or legal guardian, *the parent or legal guardian may present* the principal or the principal's designee ~~[shall review the reason for each absence of the pupil upon which the intended denial of credit or promotion is based. After the review, the principal or the principal's designee shall credit towards the required days of attendance each day of absence for which:~~~~

~~—(a) There is evidence or a written affirmation by the parent or legal guardian of the pupil that the pupil was physically or mentally unable to attend school on the day of the absence; and~~

~~—(b) The pupil has completed course work requirements.~~

~~4.] with documentation that the pupil has complied with the attendance requirements prescribed pursuant to subsection 1 by attending school, either in person or through an alternative program of education or a program of distance education approved by the Department. If the documentation is accurate and the principal or principal's designee finds that any absence of the pupil was entered in error, the error must be corrected and the absences of the pupil must be recalculated for the purposes of determining whether the pupil may obtain credit or be promoted to the next higher grade.~~

3. A pupil and the pupil's parent or legal guardian may appeal a decision of a principal or the principal's designee pursuant to subsection ~~{3}~~ 2 to the board of trustees of the school district in which the pupil is enrolled.

~~{5. The board of trustees of a school district may adopt a policy to exempt pupils who are physically or mentally unable to attend school from the limitations on absences set forth in subsection 1. If a board of trustees adopts a policy pursuant to this subsection:~~

~~—(a) A pupil who receives an exemption pursuant to this subsection is not exempt from the minimum number of days of attendance prescribed pursuant to subsection 1.~~



1 ~~—(b) The days on which a pupil is physically or mentally unable~~
2 ~~to attend school must be credited towards the required days of~~
3 ~~attendance if the pupil has completed course work requirements.~~

4 ~~—(c) The procedure for review of absences set forth in subsection~~
5 ~~3 does not apply to days on which the pupil is absent because the~~
6 ~~pupil is physically or mentally unable to attend school.~~

7 ~~—6.]~~ 4. A school shall inform the parents or legal guardian of
8 each pupil who is enrolled in the school that the parents or legal
9 guardian and the pupil are required to comply with the provisions
10 governing the *enrollment*, attendance and truancy of pupils set forth
11 in NRS 392.040 to 392.160, inclusive, and any other rules
12 concerning attendance and truancy adopted by the board of trustees
13 of the school district.

14 **Sec. 19.** NRS 392.126 is hereby amended to read as follows:

15 392.126 1. There is hereby created in each county at least one
16 advisory board to review school attendance. The membership of
17 each such board *must, to the greatest extent possible, reflect the*
18 *ethnic and geographic diversity of the county and* may consist of:

19 (a) One probation officer in the county who works on cases
20 relating to juveniles, appointed by the judge or judges of the
21 juvenile court of the county;

22 (b) One representative of a law enforcement agency in the
23 county who works on cases relating to juveniles, appointed by the
24 judge or judges of the juvenile court of the county;

25 (c) One representative of the district attorney for the county,
26 appointed by the district attorney;

27 (d) One parent or legal guardian of a pupil who is enrolled in a
28 public school in the county, or his or her designee or alternate who
29 is also a parent or legal guardian, appointed by the president of the
30 board of trustees of the school district;

31 (e) One member of the board of trustees of the school district,
32 appointed by the president of the board of trustees;

33 (f) One school counselor or school teacher employed by the
34 school district, appointed by an organization or association that
35 represents licensed educational personnel in the school district;

36 (g) One deputy sheriff in the county, appointed by the sheriff of
37 the county; and

38 (h) One representative of the agency which provides child
39 welfare services, as defined in NRS 432B.030.

40 2. The members of each such board shall elect a chair from
41 among their membership.

42 3. Each member of such a board must be appointed for a term
43 of 2 years. A vacancy in the membership of the board must be filled
44 in the same manner as the original appointment for the remainder of
45 the unexpired term.



1 4. Each member of such a board serves without compensation,
2 except that, for each day or portion of a day during which a member
3 of the board attends a meeting of the board or is otherwise engaged
4 in the business of the board, the member is entitled to receive the
5 per diem allowance and travel expenses provided for state officers
6 and employees generally. The board of trustees of the school district
7 shall pay the per diem allowance and travel expenses from the
8 general fund of the school district.

9 **Sec. 20.** NRS 392.130 is hereby amended to read as follows:

10 392.130 1. Within the meaning of this chapter, a pupil shall
11 be deemed a truant who is absent from school without the written
12 approval of the pupil's teacher or the principal of the school, unless
13 the pupil is physically or mentally unable to attend school. ~~[The]~~

14 *2. Upon the request of a parent or legal guardian of a pupil,*
15 *made during the 3 days immediately preceding the requested*
16 *absence, a teacher or principal ~~[shall]~~ may give his or her written*
17 *approval for ~~[a]~~ the pupil to be absent if an emergency exists ~~[or~~*
18 *~~upon the request of a parent or legal guardian of the pupil.] ,~~*
19 *including, without limitation, a medical emergency concerning a*
20 *member of his or her family, compliance with a court order, a*
21 *funeral or similar event of grieving, a family emergency,*
22 *temporary homelessness and a religious observance. A teacher or*
23 *principal may not approve absences pursuant to this subsection in*
24 *excess of 10 percent of the number of school days in the school*
25 *year.*

26 3. Before a pupil may attend or otherwise participate in school
27 activities outside the classroom during regular classroom hours, the
28 pupil must receive the approval of the teacher or principal.

29 ~~[2.]~~ 4. An unapproved absence for at least one period, or the
30 equivalent of one period for the school, of a school day may be
31 deemed a truancy for the purposes of this section.

32 ~~[3.]~~ 5. If a pupil is physically or mentally unable to attend
33 school, the parent or legal guardian or other person having control
34 or charge of the pupil shall notify the teacher or principal of the
35 school orally or in writing, in accordance with the policy established
36 by the board of trustees of the school district, within 3 days after the
37 pupil returns to school.

38 ~~[4.]~~ 6. An absence which has not been approved pursuant to
39 ~~[subsection 1 or 3]~~ *this section* shall be deemed an unapproved
40 absence. In the event of an unapproved absence, the teacher,
41 attendance officer or other school official shall deliver or cause to be
42 delivered a written *or electronic* notice of truancy to the parent,
43 legal guardian or other person having control or charge of the child.
44 The written *or electronic* notice must be delivered to the parent,
45 legal guardian or other person who has control of the child. The



1 written *or electronic* notice must inform the parents or legal
2 guardian of such absences in a form specified by the Department.

3 ~~[5.]~~ 7. *Except as otherwise provided in subsection 2 of NRS*
4 *392.122, all approved and unapproved absences must be counted*
5 *for the purpose of determining whether a pupil is chronically*
6 *absent.*

7 8. *The board of trustees of each school district and the*
8 *governing body of each charter school and university school for*
9 *profoundly gifted pupils shall:*

10 (a) *Communicate through various means, in a format and, to*
11 *the extent practicable, in a language that parents and legal*
12 *guardians can understand, the truancy policy and the definition of*
13 *chronic absenteeism adopted by the Department pursuant to NRS*
14 *392.150; and*

15 (b) *Provide a parent or legal guardian of a pupil notice when*
16 *the pupil is approaching the limit of 10 percent in the number of*
17 *absences that may be approved pursuant to subsection 2.*

18 9. The provisions of this section apply to all pupils who are
19 required to *enroll in and* attend school pursuant to NRS 392.040.

20 ~~[6.]~~ 10. As used in this section, “physically or mentally unable
21 to attend” does not include a physical or mental condition for which
22 a pupil is excused pursuant to NRS 392.050.

23 **Sec. 21.** NRS 392.140 is hereby amended to read as follows:

24 392.140 1. Any child who has been declared a truant three or
25 more times within one school year must be declared a habitual
26 truant.

27 2. Any child who has once been declared a habitual truant and
28 who in an immediately succeeding year is absent from school
29 without the written ~~[~~

30 ~~(a) Approval]~~ *approval* of the child’s teacher or the principal of
31 the school pursuant to subsection 1 *or 2* of NRS 392.130 ~~;~~ ~~or~~

32 ~~(b) Notice of his or her parent or legal guardian or other person~~
33 ~~who has control or charge over the pupil pursuant to subsection 3 of~~
34 ~~NRS 392.130;~~

35 ~~→]~~ may again be declared a habitual truant ~~[~~, *unless the child is*
36 *physically or mentally unable to attend school as provided in*
37 *NRS 392.130.*

38 3. The provisions of this section apply to all pupils who are
39 required to *enroll in and* attend school pursuant to NRS 392.040.

40 **Sec. 22.** NRS 392.141 is hereby amended to read as follows:

41 392.141 The provisions of NRS 392.144 to 392.148, inclusive,
42 apply to all pupils who are required to *enroll in and* attend school
43 pursuant to NRS 392.040.



1 **Sec. 23.** NRS 392.144 is hereby amended to read as follows:

2 392.144 1. If a pupil has ~~[one or more unapproved absences]~~
3 *been truant* from school, the school in which the pupil is enrolled
4 shall take reasonable actions designed, as applicable, to encourage,
5 enable or convince the pupil to attend school.

6 2. If a pupil is a habitual truant pursuant to NRS 392.140, or if
7 a pupil who is a habitual truant pursuant to NRS 392.140 is again
8 declared truant pursuant to NRS 392.130 in the same school year
9 after being declared a habitual truant, the principal of the school
10 shall:

11 (a) Report the pupil to an attendance officer, a school police
12 officer or the local law enforcement agency for investigation and
13 issuance of a citation, if warranted, in accordance with
14 NRS 392.149;

15 (b) If the parent or legal guardian of a pupil has signed a written
16 *or electronic* consent pursuant to subsection 4, submit a written *or*
17 *electronic* referral of the pupil to the advisory board to review
18 school attendance in the county in accordance with NRS 392.146; or

19 (c) Refer the pupil for the imposition of administrative sanctions
20 in accordance with NRS 392.148.

21 3. The board of trustees of each school district shall adopt
22 criteria to determine whether the principal of a school shall:

23 (a) Report a pupil to an attendance officer, a school police
24 officer or the law enforcement agency pursuant to paragraph (a) of
25 subsection 2;

26 (b) Refer a pupil to an advisory board to review school
27 attendance pursuant to paragraph (b) of subsection 2; or

28 (c) Refer a pupil for the imposition of administrative sanctions
29 pursuant to paragraph (c) of subsection 2.

30 4. If the principal of a school makes an initial determination to
31 submit a written *or electronic* referral of a pupil to the advisory
32 board to review school attendance, the principal shall notify the
33 parent or legal guardian of the pupil and request the parent or legal
34 guardian to sign a written *or electronic* consent that authorizes the
35 school and, if applicable, the school district to release the records of
36 the pupil to the advisory board to the extent that such release is
37 necessary for the advisory board to carry out its duties pursuant to
38 NRS 392.146 and 392.147. The written consent must comply with
39 the applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R.
40 Part 99. If the parent or legal guardian refuses to sign the consent,
41 the principal shall:

42 (a) Report the pupil to an attendance officer, a school police
43 officer or the local law enforcement agency pursuant to paragraph
44 (a) of subsection 2; or



1 (b) Refer the pupil for the imposition of administrative sanctions
2 pursuant to paragraph (c) of subsection 2.

3 **Sec. 24.** NRS 392.146 is hereby amended to read as follows:

4 392.146 A written *or electronic* referral of a pupil to an
5 advisory board to review school attendance must include the dates
6 on which the pupil was truant from school and all action taken by
7 the school to assist the pupil to attend school. The advisory board
8 may request clarification of any information contained in the written
9 *or electronic* referral or any additional information that the advisory
10 board considers necessary. The school shall provide written *or*
11 *electronic* notice of the referral to the parents or legal guardian of
12 the pupil. The written *or electronic* notice must include, without
13 limitation:

14 1. The name and address of the pupil referred;

15 2. A written *or electronic* explanation of the reason for the
16 referral;

17 3. A summary of the provisions of NRS 392.147; and

18 4. The address and telephone number of the advisory board to
19 review school attendance.

20 **Sec. 25.** NRS 392.147 is hereby amended to read as follows:

21 392.147 1. If an advisory board to review school attendance
22 receives a written *or electronic* referral of a pupil pursuant to NRS
23 392.146, the advisory board shall set a date, time and place for a
24 hearing. The pupil and the pupil's parents or legal guardian shall
25 attend the hearing held by the advisory board. The hearing must be
26 closed to the public. The chair of an advisory board to review school
27 attendance may request that subpoenas for a hearing conducted
28 pursuant to this section be issued to:

29 (a) The parent or legal guardian of a pupil who has been referred
30 to the advisory board or any other person that the advisory board
31 considers necessary to the hearing.

32 (b) A pupil who has been referred to the advisory board.

33 2. If a pupil and the pupil's parents or legal guardian do not
34 attend the hearing, the chair of the advisory board shall:

35 (a) Report the pupil to an attendance officer, a school police
36 officer or the appropriate local law enforcement agency for
37 investigation and issuance of a citation, if warranted in accordance
38 with NRS 392.149; or

39 (b) Refer the pupil for the imposition of administrative sanctions
40 in accordance with NRS 392.148.

41 3. If an advisory board to review school attendance determines
42 that the status of a pupil as a habitual truant can be adequately
43 addressed through participation by the pupil in programs and
44 services available in the community, the advisory board shall order
45 the pupil to participate in such programs and services. If the pupil



1 does not agree to participate in such programs and services, the
2 chair of the advisory board shall report the pupil to an attendance
3 officer, a school police officer or the appropriate local law
4 enforcement agency for investigation and issuance of a citation, if
5 warranted in accordance with NRS 392.149, or refer the pupil for
6 the imposition of administrative sanctions in accordance with NRS
7 392.148. If the pupil agrees to participate in such programs and
8 services, the advisory board, the pupil and the parents or legal
9 guardian of the pupil shall enter into a written *or electronic*
10 agreement that:

11 (a) Sets forth the findings of the advisory board;

12 (b) Sets forth the terms and conditions of the pupil's
13 participation in the programs and services designated by the
14 advisory board; and

15 (c) Adequately informs the pupil and the pupil's parents or legal
16 guardian that if the pupil or his or her parents or legal guardian do
17 not comply with the terms of the written *or electronic* agreement,
18 the chair of the advisory board is legally obligated to report the
19 pupil to an attendance officer, a school police officer or the
20 appropriate local law enforcement agency for investigation and
21 issuance of a citation, if warranted in accordance with NRS 392.149,
22 or refer the pupil for the imposition of administrative sanctions in
23 accordance with NRS 392.148.

24 ➤ The parents or legal guardian of the pupil shall, upon the request
25 of the advisory board, provide proof satisfactory to the advisory
26 board that the pupil is participating in the programs and services set
27 forth in the written *or electronic* agreement.

28 4. The chair of an advisory board to review school attendance
29 shall report a pupil to an attendance officer, a school police officer
30 or the appropriate local law enforcement agency or refer the pupil
31 for the imposition of administrative sanctions in accordance with
32 NRS 392.148 if:

33 (a) The pupil and the pupil's parents or legal guardian fail to
34 attend a hearing set by the advisory board pursuant to subsection 1;

35 (b) The advisory board determines that the status of a pupil as a
36 habitual truant cannot be adequately addressed by requiring the
37 pupil to participate in programs and services available in the
38 community;

39 (c) The pupil does not consent to participation in programs and
40 services pursuant to subsection 3; or

41 (d) The pupil or the pupil's parents or legal guardian violates the
42 terms of the written *or electronic* agreement entered into pursuant to
43 subsection 3.



1 5. If the chair of an advisory board makes a report to an
2 attendance officer, a school police officer or the local law
3 enforcement agency pursuant to subsection 4, the chair shall:

4 (a) Submit to the attendance officer, school police officer or law
5 enforcement agency, as applicable, written *or electronic*
6 documentation of all efforts made by the advisory board to address
7 the status of the pupil as a habitual truant; and

8 (b) Make recommendations to the attendance officer, school
9 police officer or law enforcement agency, as applicable, regarding
10 the appropriate disposition of the case.

11 6. If the chair of an advisory board refers a pupil for the
12 imposition of administrative sanctions pursuant to subsection 4, the
13 chair shall:

14 (a) Provide written *or electronic* documentation of all efforts
15 made by the advisory board to address the status of the pupil as a
16 habitual truant; and

17 (b) Make recommendations regarding the appropriate
18 disposition of the case.

19 7. If the parents or legal guardian of a pupil enter into a written
20 *or electronic* agreement pursuant to this section, the parents or legal
21 guardian may appeal to the board of trustees of the school district a
22 determination made by the advisory board concerning the contents
23 of the written *or electronic* agreement. Upon receipt of such a
24 request, the board of trustees of the school district shall review the
25 determination in accordance with the procedure established by the
26 board of trustees for such matters.

27 8. The board of trustees of each school district shall adopt
28 policies and rules to protect the confidentiality of the deliberations,
29 findings and determinations made by an advisory board and
30 information concerning a pupil and the family of a pupil. An
31 advisory board shall not disclose information concerning the records
32 of a pupil or services provided to a pupil or the pupil's family unless
33 the disclosure is specifically authorized by statute or by the policies
34 and rules of the board of trustees and is necessary for the advisory
35 board to carry out its duties.

36 **Sec. 26.** NRS 392.148 is hereby amended to read as follows:

37 392.148 1. Upon receipt of a report pursuant to NRS 392.144
38 or 392.147, a school police officer or a person designated pursuant
39 to subsection 6 shall conduct an investigation, set a date for a
40 hearing and provide a written *or electronic* notice of the hearing to
41 the parent or legal guardian of the pupil. If it appears after
42 investigation and a hearing that a pupil is a habitual truant, a school
43 police officer or a person designated pursuant to subsection 6 may
44 issue an order imposing the following administrative sanctions
45 against a pupil:



1 (a) If it is the first time that administrative sanctions have been
2 issued pursuant to this section because the pupil is a habitual truant,
3 and the pupil is 14 years of age or older, order the suspension of the
4 driver's license of the pupil for at least 30 days but not more than 6
5 months. If the pupil does not possess a driver's license, the order
6 must provide that the pupil is prohibited from applying for a driver's
7 license for 30 days:

8 (1) Immediately following the date of the order if the pupil is
9 eligible to apply for a driver's license; or

10 (2) After the date the pupil becomes eligible to apply for a
11 driver's license if the pupil is not eligible to apply for a driver's
12 license.

13 (b) If it is the second time or any subsequent time that
14 administrative sanctions have been issued pursuant to this section
15 because the pupil is a habitual truant, and the pupil is 14 years of
16 age or older, order the suspension of the driver's license of the pupil
17 for at least 60 days but not more than 1 year. If the pupil does not
18 possess a driver's license, the order must provide that the pupil is
19 prohibited from applying for a driver's license for 60 days
20 immediately following:

21 (1) The date of the order if the pupil is eligible to apply for a
22 driver's license; or

23 (2) The date the pupil becomes eligible to apply for a driver's
24 license if the pupil is not eligible to apply for a driver's license.

25 2. If a pupil applies for a driver's license, the Department of
26 Motor Vehicles shall:

27 (a) Notify the pupil of the provisions of this section that
28 authorize the suspension of the driver's license of the pupil; and

29 (b) Require the pupil to sign an affidavit acknowledging that the
30 pupil is aware that his or her driver's license may be suspended
31 pursuant to this section.

32 3. If an order is issued pursuant to this section delaying the
33 ability of the pupil to receive a driver's license, a copy of the order
34 must be forwarded to the Department of Motor Vehicles not later
35 than 5 days after the order is issued.

36 4. If an order is issued pursuant to this section suspending the
37 driver's license of a pupil:

38 (a) The pupil shall surrender his or her driver's license to the
39 school police officer or the person designated pursuant to
40 subsection 6.

41 (b) Not later than 5 days after issuing the order, the school
42 police officer or the designated person shall forward to the
43 Department of Motor Vehicles a copy of the order and the driver's
44 license of the pupil.

45 (c) The Department of Motor Vehicles:



1 (1) Shall report the suspension of the driver's license of the
2 pupil to an insurance company or its agent inquiring about the
3 pupil's driving record, but such a suspension must not be considered
4 for the purpose of rating or underwriting.

5 (2) Shall not treat the suspension in the manner statutorily
6 required for moving traffic violations.

7 (3) Shall not require the pupil to submit to the tests and other
8 requirements which are adopted by regulation pursuant to
9 subsection 1 of NRS 483.495 as a condition of reinstatement or
10 reissuance after the suspension of a driver's license.

11 5. The parent or legal guardian of a pupil may request a hearing
12 before a person designated by the board of trustees of the school
13 district in which the pupil is enrolled to appeal the imposition of any
14 administrative sanctions pursuant to this section. The person
15 designated by the board of trustees shall, not later than 30 days after
16 receipt of the request, hold a hearing to review the reason for the
17 imposition of any administrative sanctions. Not later than 30 days
18 after the hearing, the person designated by the board of trustees shall
19 issue a written decision affirming, denying or modifying the
20 decision to impose administrative sanctions and mail a copy of the
21 decision to the parent or legal guardian of the pupil.

22 6. If a public school does not have a school police officer
23 assigned to it, the principal of the school may designate a qualified
24 person to carry out the requirements of this section.

25 **Sec. 27.** NRS 392.149 is hereby amended to read as follows:

26 392.149 1. Upon receipt of a report pursuant to NRS 392.144
27 or 392.147, if it appears after investigation that a pupil is a habitual
28 truant, the attendance officer, school police officer or law
29 enforcement agency to whom the report is made shall prepare
30 manually or electronically a citation directing the pupil to appear in
31 the proper juvenile court.

32 2. A copy of the citation must be delivered to the pupil and to
33 the parent, guardian or any other person who has control or charge
34 of the pupil by:

35 (a) The local law enforcement agency;

36 (b) A school police officer employed by the board of trustees of
37 the school district; or

38 (c) An attendance officer appointed by the board of trustees of
39 the school district.

40 3. The citation must be in the form prescribed for misdemeanor
41 citations in NRS 171.1773.

42 4. The provisions of this section apply to all pupils who are
43 required to *enroll in and* attend school pursuant to NRS 392.040.



1 **Sec. 28.** NRS 392.150 is hereby amended to read as follows:

2 392.150 1. The board of trustees of a school district may
3 appoint an attendance officer for the school district, who need not be
4 a licensed employee of the school district, except that in any school
5 district where a system of classified employment is in effect,
6 attendance officers must be classified employees of the school
7 district. If the board of trustees appoints an attendance officer for the
8 school district, the board of trustees may:

9 (a) Fix the compensation of the attendance officer;

10 (b) Prescribe the duties of the attendance officer; and

11 (c) Adopt regulations not inconsistent with law for the
12 performance of the duties of the attendance officer.

13 2. The board of trustees of each school district shall:

14 (a) Establish procedures to monitor the attendance , *chronic*
15 *absenteeism* and truancy of pupils, including, without limitation, a
16 standard method for reporting the *chronic absenteeism and* truancy
17 of pupils and a standard method for reporting excessive absences of
18 pupils throughout the school district;

19 (b) Coordinate efforts to refer pupils who are truant to
20 appropriate providers of community services; and

21 (c) Determine, based on the attendance , *chronic absenteeism*
22 and truancy of pupils at each school within the school district,
23 whether to employ an attendance clerk for a particular school or
24 group of schools whose primary responsibility is to monitor the
25 attendance and truancy of pupils.

26 **3. *The Department shall adopt by regulation a definition of***
27 ***the term "chronic absenteeism." The board of trustees of each***
28 ***school district shall ensure that the actions taken pursuant to***
29 ***subsection 2 are consistent with such a definition.***

30 **Sec. 29.** NRS 392.170 is hereby amended to read as follows:

31 392.170 Upon the written complaint of any person, the board
32 of trustees of a school district or the governing body of a charter
33 school shall:

34 1. Make a full and impartial investigation of all charges against
35 parents, guardians or other persons having control or charge of any
36 child who is under 18 years of age and required to *enroll in and*
37 attend school pursuant to NRS 392.040 for violation of any of the
38 provisions of NRS 392.040 to ~~[392.110,]~~ *392.075*, inclusive, or
39 392.130 to 392.160, inclusive.

40 2. Make and file a written *or electronic* report of the
41 investigation and the findings thereof in the records of the board.

42 **Sec. 30.** NRS 392.180 is hereby amended to read as follows:

43 392.180 If it appears upon investigation that any parent,
44 guardian or other person having control or charge of any child who
45 is under 18 years of age and required to *enroll in and* attend school



1 pursuant to NRS 392.040 has violated any of the provisions of NRS
2 392.040 to ~~[392.110,]~~ 392.075, inclusive, or 392.130 to 392.160,
3 inclusive, the clerk of the board of trustees or the governing body of
4 a charter school in which the child is enrolled, except as otherwise
5 provided in NRS 392.190, shall make and file in the proper court a
6 criminal complaint against the parent, guardian or other person,
7 charging the violation, and shall see that the charge is prosecuted by
8 the proper authority.

9 **Sec. 31.** NRS 392.200 is hereby amended to read as follows:

10 392.200 Any taxpayer, school administrator, school officer or
11 deputy school officer in the State of Nevada may make and file in
12 the proper court a criminal complaint against a parent, guardian or
13 other person who has control or charge of any child who is under 18
14 years of age and required to *enroll in and* attend school pursuant to
15 NRS 392.040 and who violates any of the provisions of law
16 requiring the *enrollment and* attendance of children in the public
17 schools of this State.

18 **Sec. 32.** NRS 392.210 is hereby amended to read as follows:

19 392.210 1. Except as otherwise provided in subsection 2, a
20 parent, guardian or other person who has control or charge of any
21 child and to whom notice has been given of the child's truancy as
22 provided in NRS 392.130 , ~~[and 392.140,]~~ and who fails to prevent
23 the child's subsequent truancy within that school year, is guilty of a
24 misdemeanor.

25 2. A person who is licensed pursuant to NRS 424.030 to
26 conduct a foster home is liable pursuant to subsection 1 for a child
27 in his or her foster care only if the person has received notice of the
28 truancy of the child as provided in NRS 392.130 , ~~[and 392.140,]~~
29 and negligently fails to prevent the subsequent truancy of the child
30 within that school year.

31 **Sec. 33.** NRS 392.215 is hereby amended to read as follows:

32 392.215 Any parent, guardian or other person who, with intent
33 to deceive under NRS 392.040 to ~~[392.110,]~~ 392.075, inclusive, or
34 392.130 to 392.165, inclusive:

35 1. Makes a false statement concerning the age or attendance at
36 school;

37 2. Presents a false birth certificate or record of attendance at
38 school; or

39 3. Refuses to furnish a suitable identifying document, record of
40 attendance at school or proof of change of name, upon request by a
41 local law enforcement agency conducting an investigation in
42 response to notification pursuant to subsection 4 of NRS 392.165,

43 ↪ of a child under 18 years of age who is under his or her control or
44 charge, is guilty of a misdemeanor.



1 **Sec. 34.** NRS 392.264 is hereby amended to read as follows:
2 392.264 1. If a superintendent of a school district receives
3 notification and a victim identified in the notification is a pupil in
4 the school district, the superintendent shall not permit an offender
5 who is subject to the provisions of NRS 62F.100 to 62F.150,
6 inclusive, to **enroll in or** attend a public school that a victim is
7 **enrolled in or** attending unless:

8 (a) An alternative plan of supervision is approved by the court
9 pursuant to NRS 62F.130; or

10 (b) An alternative plan of attendance is approved by the court
11 pursuant to NRS 62F.140.

12 2. If the court does not approve an alternative plan of
13 supervision or an alternative plan of attendance for the offender and
14 the school district in which the offender resides does not have
15 another public school in the district for the offender to **enroll in and**
16 attend, the superintendent of the school district shall negotiate an
17 agreement with:

18 (a) The superintendent of an adjoining school district within this
19 state for the offender to **enroll in and** attend a public school in that
20 adjoining school district; or

21 (b) The superintendent, or another appropriate administrator, of
22 an adjoining school district in an adjoining state for the offender to
23 **enroll in and** attend a public school in that adjoining school district.

24 3. The superintendent of the school district in which the
25 offender resides shall inform the person with whom the
26 superintendent is negotiating that the offender has been adjudicated
27 delinquent for a sexual offense or a sexually motivated act, but the
28 superintendent shall not disclose the name of a victim.

29 4. An agreement which is made pursuant to this section and
30 which is presented to a board of trustees for approval:

31 (a) Must not contain the name of a victim;

32 (b) Must comply with the provisions of subsections 2 and 3 of
33 NRS 392.010; and

34 (c) Must be approved by the Superintendent of Public
35 Instruction.

36 5. A board of trustees may terminate an agreement entered into
37 pursuant to this section if, because of a change in circumstances, the
38 offender is able to **enroll in and** attend a public school in the school
39 district in which the offender resides without violating subsection 1.

40 **Sec. 35.** NRS 392.268 is hereby amended to read as follows:

41 392.268 If a school district incurs additional costs for
42 transporting an offender because the offender is prohibited from
43 **enrolling in or** attending a public school that a victim is **enrolled in**
44 **or** attending, the school district is entitled to reimbursement of all or
45 part of those costs from the parents or guardians of the offender to



1 the extent ordered by the court pursuant to NRS 62F.110. The
2 superintendent of the school district or the parents or guardians of
3 the offender may petition the court to reconsider the amount of
4 reimbursement ordered by the court.

5 **Sec. 36.** NRS 394.098 is hereby amended to read as follows:

6 394.098 "Postsecondary education" is limited to education or
7 educational services offered by an institution which is privately
8 owned to persons who have completed or terminated their
9 elementary and secondary education or who are beyond the age of
10 compulsory school *enrollment and* attendance for the attainment of
11 academic, professional or vocational objectives.

12 **Sec. 37.** NRS 394.103 is hereby amended to read as follows:

13 394.103 "Private schools" means private elementary and
14 secondary educational institutions. The term does not include a
15 home in which instruction is provided to a child who is excused
16 from compulsory *enrollment and* attendance pursuant to
17 NRS 392.070.

18 **Sec. 38.** NRS 62A.240 is hereby amended to read as follows:

19 62A.240 "Private school" includes private elementary and
20 secondary educational institutions. The term does not include a
21 home in which instruction is provided to a child who is excused
22 from compulsory *enrollment and* attendance pursuant to NRS
23 392.070 or a school or educational program that is conducted
24 exclusively for children who have been adjudicated delinquent.

25 **Sec. 39.** NRS 62B.320 is hereby amended to read as follows:

26 62B.320 1. Except as otherwise provided in this title, the
27 juvenile court has exclusive original jurisdiction in proceedings
28 concerning any child living or found within the county who is
29 alleged or adjudicated to be in need of supervision because the
30 child:

31 (a) Is subject to compulsory school *enrollment and* attendance
32 and is a habitual truant from school;

33 (b) Habitually disobeys the reasonable and lawful demands of
34 the parent or guardian of the child and is unmanageable;

35 (c) Deserts, abandons or runs away from the home or usual
36 place of abode of the child and is in need of care or rehabilitation;

37 (d) Uses an electronic communication device to transmit or
38 distribute a sexual image of himself or herself to another person or
39 to possess a sexual image in violation of NRS 200.737;

40 (e) Transmits or distributes an image of bullying committed
41 against a minor in violation of NRS 200.900;

42 (f) Violates a county or municipal ordinance imposing a curfew
43 on a child;

44 (g) Violates a county or municipal ordinance restricting loitering
45 by a child;



1 (h) Commits an offense related to tobacco; or
2 (i) Commits an alcohol or marijuana offense that is punishable
3 pursuant to paragraph (a) of subsection 1 of NRS 62E.173.

4 2. A child who is subject to the jurisdiction of the juvenile
5 court pursuant to this section must not be considered a delinquent
6 child.

7 3. The provisions of subsection 1 do not prohibit the
8 imposition of administrative sanctions pursuant to NRS 392.148
9 against a child who is subject to compulsory school *enrollment and*
10 attendance and is a habitual truant from school.

11 4. As used in this section:

12 (a) "Alcohol or marijuana offense" has the meaning ascribed to
13 it in NRS 62E.173.

14 (b) "Bullying" means a willful act which is written, verbal or
15 physical, or a course of conduct on the part of one or more persons
16 which is not otherwise authorized by law and which exposes a
17 person one time or repeatedly and over time to one or more negative
18 actions which is highly offensive to a reasonable person and:

19 (1) Is intended to cause or actually causes the person to
20 suffer harm or serious emotional distress;

21 (2) Poses a threat of immediate harm or actually inflicts harm
22 to another person or to the property of another person;

23 (3) Places the person in reasonable fear of harm or serious
24 emotional distress; or

25 (4) Creates an environment which is hostile to a pupil by
26 interfering with the education of the pupil.

27 (c) "Electronic communication device" has the meaning
28 ascribed to it in NRS 200.737.

29 (d) "Sexual image" has the meaning ascribed to it in
30 NRS 200.737.

31 **Sec. 40.** NRS 129.090 is hereby amended to read as follows:

32 129.090 1. A petition filed pursuant to NRS 129.080 must be
33 in writing, verified by the petitioner and set forth:

34 (a) The name, age and address of the minor;

35 (b) The names and addresses of the parents of the minor;

36 (c) The name and address of any legal guardian of the minor;

37 (d) If no parent or guardian can be found, the name and address
38 of the child's nearest known relative residing within this state;

39 (e) Facts relating to the minor's education, employment, and
40 length of residence apart from his or her parents or guardian;

41 (f) That the minor willingly lives apart from his or her parents or
42 legal guardian with the consent or acquiescence of his or her parents
43 or legal guardian;

44 (g) That the minor is managing his or her own financial affairs;



1 (h) That the source of the minor's income is not derived from
2 any activity declared to be a crime by the laws of this state or the
3 United States; and

4 (i) That the minor is attending school or has been excused from
5 *enrolling in and* attending school pursuant to NRS 392.040 to
6 392.125, inclusive.

7 2. If any of the facts required by subsection 1 are not known,
8 the petition must so state.

9 3. For filing the petition, the clerk of the district court shall
10 charge the fees prescribed by law for the commencement of civil
11 actions or proceedings generally.

12 **Sec. 41.** NRS 361.068 is hereby amended to read as follows:

13 361.068 1. The following personal property is exempt from
14 taxation:

15 (a) Personal property held for sale by a merchant;

16 (b) Personal property held for sale by a manufacturer;

17 (c) Raw materials and components held by a manufacturer for
18 manufacture into products, and supplies to be consumed in the
19 process of manufacture;

20 (d) Tangible personal property purchased by a business which
21 will be consumed during the operation of the business;

22 (e) Livestock;

23 (f) Colonies of bees;

24 (g) Pipe and other agricultural equipment used to convey water
25 for the irrigation of legal crops;

26 (h) All boats;

27 (i) Slide-in campers and camper shells;

28 (j) Except as otherwise provided in NRS 361.186, fine art for
29 public display; and

30 (k) All personal property that is:

31 (1) Owned by a person who is not a resident of this state; and

32 (2) Located in this state solely for the purposes of:

33 (I) An exhibit that is used in a convention or tradeshow
34 that is located in this State; or

35 (II) A display, exhibition, carnival, fair or circus that is
36 transient in nature and is located in this State for not more than 30
37 days.

38 2. The Nevada Tax Commission may exempt from taxation
39 that personal property for which the annual taxes would be less than
40 the cost of collecting those taxes. If such an exemption is provided,
41 the Nevada Tax Commission shall annually determine the average
42 cost of collecting property taxes in this state which must be used in
43 determining the applicability of the exemption.

44 3. A person claiming the exemption provided for in paragraph
45 (j) of subsection 1 shall:



1 (a) On or before June 15 for the next ensuing fiscal year, file
2 with the county assessor an affidavit declaring that the fine art will,
3 during that ensuing fiscal year, meet all the criteria set forth in
4 paragraph (b) of subsection 4; and

5 (b) During any fiscal year in which the person claims the
6 exemption, make available for educational purposes and not for
7 resale, upon written request and without charge to any public school
8 as defined in NRS 385.007, private school as defined in NRS
9 394.103 and parent of a child who receives instruction in a home
10 pursuant to NRS 392.070, one copy of a poster depicting the fine art
11 that the facility has on public display if such a poster is available for
12 purchase by the public at the time of the request.

13 4. As used in this section:

14 (a) "Boat" includes any vessel or other watercraft, other than a
15 seaplane, used or capable of being used as a means of transportation
16 on the water.

17 (b) "Fine art for public display":

18 (1) Except as otherwise provided in subparagraph (2), means
19 a work of art which:

20 (I) Is an original painting in oil, mineral, water colors,
21 vitreous enamel, pastel or other medium, an original mosaic,
22 drawing or sketch, an original sculpture of clay, textiles, fiber,
23 wood, metal, plastic, glass or a similar material, an original work of
24 mixed media or a lithograph;

25 (II) Was purchased in an arm's length transaction for
26 \$25,000 or more, or has an appraised value of \$25,000 or more;

27 (III) Is on public display in a public or private art gallery,
28 museum or other building or area in this state for at least 20 hours
29 per week during at least 35 weeks of each year for which the
30 exemption is claimed or, if the facility displaying the fine art
31 disposes of it before the end of that year, during at least two-thirds
32 of the full weeks during which the facility had possession of it, or if
33 the gallery, museum or other building or area in which the fine art
34 will be displayed will not be opened until after the beginning of the
35 fiscal year for which the exemption is claimed, these display
36 requirements must be met for the first full fiscal year after the date
37 of opening, and the date of opening must not be later than 2 years
38 after the purchase of the fine art being displayed; and

39 (IV) Is on display in a facility that is available for group
40 tours by pupils or students for at least 5 hours on at least 60 days of
41 each full year for which the exemption is claimed, during which the
42 facility in which it is displayed is open, by prior appointment and at
43 reasonable times, without charge; and

44 (2) Does not include:



1 (I) A work of fine art that is a fixture or an improvement
2 to real property;

3 (II) A work of fine art that constitutes a copy of an
4 original work of fine art, unless the work is a lithograph that is a
5 limited edition and that is signed and numbered by the artist;

6 (III) Products of filmmaking or photography, including,
7 without limitation, motion pictures;

8 (IV) Literary works;

9 (V) Property used in the performing arts, including,
10 without limitation, scenery or props for a stage; or

11 (VI) Property that was created for a functional use other
12 than, or in addition to, its aesthetic qualities, including, without
13 limitation, a classic or custom-built automobile or boat, a sign that
14 advertises a business, and custom or antique furniture, lamps,
15 chandeliers, jewelry, mirrors, doors or windows.

16 (c) "Personal property held for sale by a merchant" includes
17 property that:

18 (1) Meets the requirements of sub-subparagraphs (I) and (II)
19 of subparagraph (1) of paragraph (b);

20 (2) Is made available for sale within 2 years after it is
21 acquired; and

22 (3) Is made available for viewing by the public or
23 prospective purchasers, or both, within 2 years after it is acquired,
24 whether or not a fee is charged for viewing it and whether or not it is
25 also used for purposes other than viewing.

26 (d) "Public display" means the display of a work of fine art
27 where members of the public have access to the work of fine art for
28 viewing during publicly advertised hours. The term does not include
29 the display of a work of fine art in an area where the public does not
30 generally have access, including, without limitation, a private office,
31 hallway or meeting room of a business, a room of a business used
32 for private lodging and a private residence.

33 (e) "Pupil" means a person who:

34 (1) Is enrolled for the current academic year in a public
35 school as defined in NRS 385.007 or a private school as defined in
36 NRS 394.103; or

37 (2) Receives instruction in a home and is excused from
38 compulsory *enrollment and* attendance pursuant to NRS 392.070.

39 (f) "Student" means a person who is enrolled for the current
40 academic year in:

41 (1) A community college or university; or

42 (2) A licensed postsecondary educational institution as
43 defined in NRS 394.099 and a course concerning fine art.



1 **Sec. 42.** NRS 483.2521 is hereby amended to read as follows:
2 483.2521 1. Except as otherwise provided in subsection 4,
3 the Department may issue a driver's license to a person who is 16 or
4 17 years of age if the person:

5 (a) Except as otherwise provided in subsection 2, has completed:
6 (1) A course in automobile driver education pursuant to NRS
7 389.090; or

8 (2) A course provided by a school for training drivers which
9 is licensed pursuant to NRS 483.700 to 483.780, inclusive, and
10 which complies with the applicable regulations governing the
11 establishment, conduct and scope of automobile driver education
12 adopted by the State Board of Education pursuant to NRS 389.090;

13 (b) Except as otherwise provided in subsection 3, has at least 50
14 hours of supervised experience in driving a motor vehicle with a
15 restricted license, instruction permit or restricted instruction permit
16 issued pursuant to NRS 483.267, 483.270 or 483.280, including,
17 without limitation, at least 10 hours of experience in driving a motor
18 vehicle during darkness;

19 (c) Except as otherwise provided in subsection 3, submits to the
20 Department, on a form provided by the Department, a log which
21 contains the dates and times of the hours of supervised experience
22 required pursuant to this section and which is signed:

23 (1) By his or her parent or legal guardian; or

24 (2) If the person applying for the driver's license is an
25 emancipated minor, by a licensed driver who is at least 21 years of
26 age or by a licensed driving instructor,

27 ↳ who attests that the person applying for the driver's license has
28 completed the training and experience required pursuant to
29 paragraphs (a) and (b);

30 (d) Submits to the Department:

31 (1) A written statement signed by the principal of the public
32 school in which the person is enrolled or by a designee of the
33 principal and which is provided to the person pursuant to
34 NRS 392.123;

35 (2) A written statement signed by the parent or legal
36 guardian of the person which states that the person is excused from
37 compulsory *enrollment and* attendance pursuant to NRS 392.070;

38 (3) A copy of the person's high school diploma or certificate
39 of attendance; or

40 (4) A copy of the person's certificate of general educational
41 development or an equivalent document;

42 (e) Has not been found to be responsible for a motor vehicle
43 crash during the 6 months before applying for the driver's license;

44 (f) Has not been convicted of or found by a court to have
45 committed a moving traffic violation or convicted of a crime



1 involving alcohol or a controlled substance during the 6 months
2 before applying for the driver's license; and

3 (g) Has held an instruction permit for not less than 6 months
4 before applying for the driver's license.

5 2. If a course described in paragraph (a) of subsection 1 is not
6 offered within a 30-mile radius of a person's residence, the person
7 may, in lieu of completing such a course as required by that
8 paragraph, complete an additional 50 hours of supervised experience
9 in driving a motor vehicle in accordance with paragraph (b) of
10 subsection 1.

11 3. In lieu of the supervised experience required pursuant to
12 paragraph (b) of subsection 1, a person applying for a Class C
13 noncommercial driver's license may provide to the Department
14 proof that the person has successfully completed:

15 (a) The training required pursuant to paragraph (a) of subsection
16 1; and

17 (b) A hands-on course in defensive driving that has been
18 approved by the Department pursuant to NRS 483.727.

19 4. A person who is 16 or 17 years of age, who has held an
20 instruction permit issued pursuant to subsection 4 of NRS 483.280
21 authorizing the holder of the permit to operate a motorcycle and
22 who applies for a driver's license pursuant to this section that
23 authorizes him or her to operate a motorcycle must comply with the
24 provisions of paragraphs (d) to (g), inclusive, of subsection 1 and
25 must:

26 (a) Except as otherwise provided in subsection 5, complete a
27 course of motorcycle safety approved by the Department;

28 (b) Have at least 50 hours of experience in driving a motorcycle
29 with an instruction permit issued pursuant to subsection 4 of NRS
30 483.280; and

31 (c) Submit to the Department, on a form provided by the
32 Department, a log which contains the dates and times of the hours of
33 experience required pursuant to paragraph (b) and which is signed
34 by his or her parent or legal guardian who attests that the person
35 applying for the motorcycle driver's license has completed the
36 training and experience required pursuant to paragraphs (a) and (b).

37 5. If a course described in paragraph (a) of subsection 4 is not
38 offered within a 30-mile radius of a person's residence, the person
39 may, in lieu of completing the course, complete an additional 50
40 hours of experience in driving a motorcycle in accordance with
41 paragraph (b) of subsection 4.

42 **Sec. 43.** NRS 483.267 is hereby amended to read as follows:

43 483.267 1. The Department may issue a restricted license to
44 any applicant between the ages of 14 and 18 years which entitles the
45 applicant to drive a motor vehicle upon a highway if a member of



1 his or her household has a medical condition which renders that
2 member unable to operate a motor vehicle, and a hardship exists
3 which requires the applicant to drive.

4 2. An application for a restricted license under this section
5 must:

6 (a) Be made upon a form provided by the Department.

7 (b) Contain a statement that a person living in the same
8 household with the applicant suffers from a medical condition which
9 renders that person unable to operate a motor vehicle and explaining
10 the need for the applicant to drive.

11 (c) Be signed and verified as provided in NRS 483.300.

12 (d) Include:

13 (1) A written statement signed by the principal of the public
14 school in which the applicant is enrolled or by a designee of the
15 principal and which is provided to the applicant pursuant to
16 NRS 392.123;

17 (2) A written statement signed by the parent or legal
18 guardian of the applicant which states that the applicant is excused
19 from compulsory school *enrollment and* attendance pursuant to
20 NRS 392.070;

21 (3) A copy of the applicant's high school diploma or
22 certificate of attendance; or

23 (4) A copy of the applicant's certificate of general
24 educational development or an equivalent document.

25 (e) Contain such other information as may be required by the
26 Department.

27 3. A restricted license issued pursuant to this section:

28 (a) Is effective for the period specified by the Department;

29 (b) Authorizes the licensee to operate a motor vehicle on a street
30 or highway only under conditions specified by the Department; and

31 (c) May contain other restrictions which the Department deems
32 necessary.

33 4. No license may be issued under this section until the
34 Department is satisfied fully as to the applicant's competency and
35 fitness to drive a motor vehicle.

36 **Sec. 44.** NRS 483.270 is hereby amended to read as follows:

37 483.270 1. The Department may issue a restricted license to
38 any pupil between the ages of 14 and 18 years who is attending:

39 (a) A public school in a school district in this State in a county
40 whose population is less than 55,000 or in a city or town whose
41 population is less than 25,000 when transportation to and from
42 school is not provided by the board of trustees of the school district,
43 if the pupil meets the requirements for eligibility adopted by the
44 Department pursuant to subsection 5; or



1 (b) A private school meeting the requirements for approval
2 under NRS 392.070 when transportation to and from school is not
3 provided by the private school,

4 ↪ and it is impossible or impracticable to furnish such pupil with
5 private transportation to and from school.

6 2. An application for the issuance of a restricted license under
7 this section must:

8 (a) Be made upon a form provided by the Department.

9 (b) Be signed and verified as provided in NRS 483.300.

10 (c) Include a written statement signed by the:

11 (1) Principal of the public school in which the pupil is
12 enrolled or by a designee of the principal and which is provided to
13 the applicant pursuant to NRS 392.123; or

14 (2) Parent or legal guardian of the pupil which states that the
15 pupil is excused from compulsory school *enrollment and*
16 attendance pursuant to NRS 392.070.

17 (d) Contain such other information as may be required by the
18 Department.

19 3. Any restricted license issued pursuant to this section:

20 (a) Is effective only for the school year during which it is issued
21 or for a more restricted period.

22 (b) Authorizes the licensee to drive a motor vehicle on a street
23 or highway only while going to and from school, and at a speed not
24 in excess of 55 miles per hour.

25 (c) May contain such other restrictions as the Department may
26 deem necessary and proper.

27 (d) May authorize the licensee to transport as passengers in a
28 motor vehicle driven by the licensee, only while the licensee is
29 going to and from school, members of his or her immediate family,
30 or other minor persons upon written consent of the parents or
31 guardians of such minors, but in no event may the number of
32 passengers so transported at any time exceed the number of
33 passengers for which the vehicle was designed.

34 4. No restricted license may be issued under the provisions of
35 this section until the Department is satisfied fully as to the
36 applicant's competency and fitness to drive a motor vehicle.

37 5. The Department shall adopt regulations that set forth the
38 requirements for eligibility of a pupil to receive a restricted license
39 pursuant to paragraph (a) of subsection 1.

40 **Sec. 45.** NRS 644A.700 is hereby amended to read as follows:

41 644A.700 1. Any person desiring to conduct a school of
42 cosmetology in which any one or any combination of the
43 occupations of cosmetology are taught must apply to the Board for a
44 license, through the owner, manager or person in charge, upon
45 forms prepared and furnished by the Board. Each application must



1 contain proof of the particular requisites for a license provided for in
2 this chapter, and the applicant must certify that all the information
3 contained in the application is truthful and accurate. The forms must
4 be accompanied by:

5 (a) A detailed floor plan of the proposed school;

6 (b) The name, address and number of the license of the manager
7 or person in charge and of each instructor;

8 (c) Evidence of financial ability to provide the facilities and
9 equipment required by regulations of the Board and to maintain the
10 operation of the proposed school for 1 year;

11 (d) Proof that the proposed school will commence operation
12 with an enrollment of a number of students acceptable to the Board;

13 (e) The applicable fee for a license;

14 (f) A copy of the contract for the enrollment of a student in a
15 program at the school of cosmetology; and

16 (g) The name and address of the person designated to accept
17 service of process.

18 2. Upon receipt by the Board of the application, the Board
19 shall, before issuing a license, determine whether the proposed
20 school:

21 (a) Is suitably located.

22 (b) Contains adequate floor space and adequate equipment.

23 (c) Has a contract for the enrollment of a student in a program at
24 the school of cosmetology that is approved by the Board.

25 (d) Admits as regular students only persons who have received a
26 certificate of graduation from high school, or the recognized
27 equivalent of such a certificate, or who are beyond the age of
28 compulsory school *enrollment and* attendance.

29 (e) Meets all requirements established by regulations of the
30 Board.

31 3. The fee for issuance of a license for a school of cosmetology
32 is:

33 (a) For 2 years, not less than \$500 and not more than \$800.

34 (b) For 4 years, not less than \$1,000 and not more than \$1,600.

35 4. If the proposed school meets all requirements established by
36 this chapter and the regulations adopted pursuant thereto, the Board
37 shall issue a license to the proposed school. The license must
38 contain:

39 (a) The name of the proposed school;

40 (b) A statement that the proposed school is authorized to operate
41 educational programs beyond secondary education; and

42 (c) Such other information as the Board considers necessary.

43 5. If the ownership of the school changes or the school moves
44 to a new location, the school may not be operated until a new
45 license is issued by the Board.



- 1 6. The Board shall, by regulation, prescribe:
2 (a) The minimum enrollment of students required by paragraph
3 (d) of subsection 1; and
4 (b) The amount of floor space required by paragraph (b) of
5 subsection 2.
6 7. After a license has been issued for the operation of a school
7 of cosmetology, the licensee must obtain the approval of the Board
8 before making any changes in the physical structure of the school.
9 **Sec. 46.** NRS 392.080 and 392.110 are hereby repealed.
10 **Sec. 47.** This act becomes effective on July 1, 2023.

TEXT OF REPEALED SECTIONS

392.080 Attendance excused for distant residence from nearest school. Attendance required by the provisions of NRS 392.040 shall be excused when the Superintendent of Public Instruction has determined that the child's residence is located at such distance from the nearest public school as to render attendance unsafe or impractical, and the child's parent or guardian has notified the board of trustees to that effect in writing.

392.110 Attendance excused for child between 15 and 18 years of age who has completed eighth grade to enter employment or apprenticeship; written permit required.

1. Any child between the ages of 15 and 18 years who has completed the work of the first eight grades may be excused from full-time school attendance and may be permitted to enter proper employment or apprenticeship, by the written authority of the board of trustees excusing the child from such attendance. The board's written authority must state the reason or reasons for such excuse.

2. In all such cases, no employer or other person shall employ or contract for the services or time of such child until the child presents a written permit therefor from the attendance officer or board of trustees. The permit must be kept on file by the employer and, upon the termination of employment, must be returned by the employer to the board of trustees or other authority issuing it.



SENATE BILL NO. 46—COMMITTEE ON EDUCATION

(ON BEHALF OF THE CARSON CITY SCHOOL DISTRICT)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions governing education. (BDR 34-353)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: No.

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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; establishing the Program of Empowerment Districts; repealing provisions governing the Program of Empowerment Schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes a Program of Empowerment Schools for public
2 schools within this State and authorizes the board of trustees of a school district to
3 approve public schools within the school district to operate as empowerment
4 schools. (NRS 388G.050) The principal of a public school that participates in the
5 Program is required to establish an empowerment team and develop an
6 empowerment plan for the school. (NRS 388G.100) The empowerment plan is
7 required to address certain issues and may include a request for a waiver from state
8 laws or regulations relating to education. (NRS 388G.120) To become effective, an
9 empowerment plan for a public school in a school district must be approved by the
10 board of trustees of the school district and, if the plan includes a request for a
11 waiver from a state law or regulation, by the State Board of Education.
12 (NRS 388G.130)

13 This bill establishes the Program of Empowerment Districts that replaces the
14 Program of Empowerment Schools. Section 2 of this bill requires the
15 superintendent of a school district that participates in the Program to develop an
16 empowerment plan that includes a comprehensive educational and operational
17 program for the school district and requests a waiver from any state law or
18 regulation adopted pursuant thereto that would hinder the comprehensive
19 educational and operational program. Section 2 authorizes the creation of a design
20 team to advise the board of trustees of the school district on the empowerment plan
21 and issues relating to the empowerment district. Section 2 requires the
22 superintendent of a school district that participates in the Program to develop the
23 empowerment plan with the assistance and advice of the design team if one has



24 been created. **Section 3** of this bill requires a superintendent of a school district that
25 develops an empowerment plan to submit the proposed plan to a designee of the
26 board of trustees of the school district for review and sets forth procedures for the
27 approval or denial of such a plan. **Section 3** requires an empowerment plan which
28 is approved by the board of trustees of a school district to be transmitted to the
29 State Board of Education for review of any request for a waiver from a state law or
30 regulation. **Section 4** of this bill requires the superintendent of an empowerment
31 district to submit an annual report to the board of trustees of the school district
32 regarding the compliance of the school district with the empowerment plan and
33 requires the board of trustees of each empowerment district to transmit the report to
34 the Governor, the Department of Education and the Joint Interim Standing
35 Committee on Education. **Sections 1, 5 and 7** of this bill make conforming changes
36 to remove references to the Program of Empowerment Schools and establish the
37 Program of Empowerment Districts.

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

1 **Section 1.** NRS 388G.010 is hereby amended to read as
2 follows:

3 388G.010 As used in NRS 388G.010 to 388G.220, inclusive,
4 unless the context otherwise requires, “empowerment ~~[school”]~~
5 *district*” means a ~~[public]~~ school *district* operating under an
6 empowerment plan developed pursuant to NRS ~~[388G.120]~~
7 **388G.050** and approved pursuant to NRS 388G.130 . ~~[or 388G.140,~~
8 ~~as applicable.]~~

9 **Sec. 2.** NRS 388G.050 is hereby amended to read as follows:

10 388G.050 1. There is hereby established a Program of
11 Empowerment ~~[Schools]~~ *Districts* for ~~[public schools]~~ *school*
12 *districts* within this State. The *board of trustees of a school district*
13 *may direct the school district to participate in the* Program ~~[does~~
14 ~~not include a university school for profoundly gifted pupils.]~~ *of*
15 *Empowerment Districts.*

16 2. ~~[The board of trustees of a school district which is located:~~
17 ~~—(a) In a county whose population is less than 100,000 may~~
18 ~~approve public schools located within the school district to operate~~
19 ~~as empowerment schools.~~

20 ~~—(b) In a county whose population is 100,000 or more but less~~
21 ~~than 700,000 shall approve not less than 5 percent of the schools~~
22 ~~located within the school district to operate as empowerment~~
23 ~~schools.~~

24 ~~—3. The board of trustees of a school district which participates~~
25 ~~in the Program of Empowerment Schools shall, on or before~~
26 ~~September 1 of each year, provide notice to the Department of the~~
27 ~~number of schools within the school district that are approved to~~
28 ~~operate as empowerment schools for that school year.~~



1 ~~4.~~ The board of trustees of a school district that participates in
2 the Program of Empowerment ~~[Schools]~~ *Districts* may create a
3 design team for the school district. If such a design team is created,
4 the membership of the design team must consist of the following
5 persons appointed by the board of trustees:

6 (a) At least one representative of the board of trustees;

7 (b) The superintendent of the school district, or the
8 superintendent's designee;

9 (c) Parents and legal guardians of pupils enrolled in public
10 schools in the school district;

11 (d) Teachers and other educational personnel employed by the
12 school district, including, without limitation, school administrators;

13 (e) Representatives of organizations that represent teachers and
14 other educational personnel;

15 (f) Representatives of the community in which the school
16 district is located and representatives of businesses within the
17 community; and

18 (g) Such other members as the board of trustees determines are
19 necessary.

20 ~~5.~~ 3. If a design team is created for a school district, the
21 design team shall ~~[]~~ *advise the board of trustees on:*

22 (a) ~~[Recommend]~~ *The empowerment plan for the district,*
23 *including, without limitation, recommending* policies and
24 procedures ~~[relating to]~~ *for inclusion in the* empowerment ~~[schools~~
25 ~~to the board of trustees of the school district;]~~ *plan;* and

26 (b) ~~[Advise the board of trustees on issues]~~ *Issues* relating to *the*
27 empowerment ~~[schools.]~~ *district.*

28 *4. The superintendent of a school district that participates in*
29 *the Program of Empowerment Districts shall develop an*
30 *empowerment plan for the school district. If a design team has*
31 *been created pursuant to subsection 2, the superintendent shall*
32 *develop the empowerment plan with the assistance and advice of*
33 *the design team.*

34 *5. The empowerment plan developed pursuant to subsection 4*
35 *must include:*

36 (a) *A comprehensive educational and operational program for*
37 *the school district which may include, without limitation:*

38 (1) *Innovative curriculum or instructional methods;*

39 (2) *Provisions regarding community participation, campus*
40 *governance and parental involvement;*

41 (3) *Modifications to the school day or the school year;*

42 (4) *Provisions regarding the budget of the school district*
43 *and funding for the programs of the school district;*

44 (5) *Accountability and assessment measures; and*



1 (6) Any other innovation determined to be appropriate by
2 the superintendent of the school district.

3 (b) A request for a waiver from any provision of this title or
4 any regulation adopted pursuant thereto which the superintendent
5 determines would hinder the implementation or prevent the school
6 district from achieving the goals of the comprehensive educational
7 and operational program required by paragraph (a).

8 (c) For each law or regulation for which a waiver is requested
9 pursuant to paragraph (b), a description of how the proposed
10 waiver will further the comprehensive educational or operational
11 program of the school district required by paragraph (a).

12 6. The board of trustees of a school district may accept gifts,
13 grants and donations from any source for the support of the
14 empowerment ~~[schools within the school]~~ district.

15 **Sec. 3.** NRS 388G.130 is hereby amended to read as follows:

16 388G.130 1. ~~[Except as otherwise provided in subsection 10,~~
17 ~~the empowerment team] The superintendent of a [public] school [,~~
18 ~~other than a charter school that is sponsored by the State Public~~
19 ~~Charter School Authority or by a college or university within the~~
20 ~~Nevada System of Higher Education, that] district who develops an~~
21 empowerment plan pursuant to NRS ~~[388G.120] 388G.050~~ shall
22 submit the proposed empowerment plan to the designee of the board
23 of trustees appointed pursuant to this subsection for review ~~[and~~
24 ~~approval]~~ pursuant to this section. The board of trustees shall
25 designate a ~~[person] member of the board of trustees~~ to review
26 ~~[each] the~~ proposed empowerment plan and recommend the
27 approval or denial of the plan to the board of trustees.

28 2. The board of trustees shall approve or deny the
29 empowerment plan. The approval or denial of an empowerment plan
30 must be based solely upon the contents of the plan . ~~[and may not~~
31 ~~consider the amount of money required to carry out the~~
32 ~~empowerment plan if the plan is within the limits of the total~~
33 ~~apportionment to the school pursuant to subsection 4 of~~
34 ~~NRS 388G.120.]~~

35 3. ~~[Except as otherwise provided in subsection 10, if]~~ If the
36 board of trustees approves an empowerment plan, the president of
37 the board of trustees ~~[, the principal of the public school]~~ and ~~[the~~
38 ~~chair of the empowerment team, if the principal is not the chair,]~~ the
39 superintendent of the school district shall each sign the plan. The
40 empowerment plan is effective for ~~[3] 5~~ years after the date on
41 which it is approved by the board of trustees, unless the
42 ~~[empowerment team] superintendent of the school district~~
43 determines that the school district will no longer operate under the
44 plan or the board of trustees of the school district revokes the plan.



1 4. ~~Except as otherwise provided in subsection 10, if~~ **If** the
2 board of trustees denies an empowerment plan, the board of trustees
3 shall:

4 (a) Return the plan to the ~~empowerment team~~ **superintendent**
5 **of the school district** with a written statement indicating the reason
6 for the denial; and

7 (b) Provide the ~~empowerment team~~ **superintendent of the**
8 **school district** with a reasonable opportunity to correct any
9 deficiencies identified in the written statement and resubmit it for
10 approval. ~~An empowerment plan may be resubmitted not more than~~
11 ~~once in a school year.~~

12 5. ~~Except as otherwise provided in subsection 10, an~~
13 ~~empowerment plan for a public school is not effective and a public~~
14 ~~school shall not operate as an empowerment school unless the plan~~
15 ~~is signed by the president of the board of trustees of the school~~
16 ~~district, the principal of the public school and the chair of the~~
17 ~~empowerment team, if the principal is not the chair. If an~~
18 ~~empowerment plan includes a request for a waiver from a statute~~
19 ~~contained in this title or a regulation of the State Board or the~~
20 ~~Department, a public school may operate under the approved plan~~
21 ~~but the requested waivers from state law are not effective unless~~
22 ~~approved by the State Board pursuant to subsection 7.~~

23 ~~6. Except as otherwise provided in subsection 10, the~~
24 ~~empowerment team~~ **The superintendent of the school district** may
25 submit a written request to the board of trustees for an amendment
26 to the empowerment plan approved pursuant to this section,
27 including an explanation of the reason for the amendment. An
28 amendment must be approved in the same manner as the
29 empowerment plan was approved.

30 ~~7.~~ **6.** If the empowerment plan includes a request for a
31 waiver from a ~~statute~~ **state law** or regulation, the board of trustees
32 shall forward the approved empowerment plan to the State Board
33 for review of the request for a waiver. The State Board shall review
34 the empowerment plan and may approve or deny the request for a
35 waiver from a ~~statute~~ **state law** or regulation. ~~Unless the statute~~
36 **If a state law** or regulation is required by federal law or is required
37 to carry out federal law ~~.~~

38 ~~8.~~ **, the State Board shall deny the request. A request for a**
39 **waiver is not effective unless approved by the State Board.**

40 **7.** If the State Board approves the request for a waiver for a
41 school ~~district~~, the Department shall provide written notice of the
42 approval to the board of trustees of the school district that submitted
43 the empowerment plan. ~~on behalf of the school.~~

44 ~~9.~~ **8.** If the State Board denies a request for a waiver, the State
45 Board shall:



1 (a) Return the request to the school district with a written
2 statement indicating the reason for the denial; and

3 (b) ~~[[Except as otherwise provided in subsection 10, provide]~~
4 *Provide* the ~~[empowerment team]~~ *superintendent of the school*
5 *district* with a reasonable opportunity to correct any deficiencies
6 identified in the written statement and resubmit it for approval. ~~[A~~
7 ~~request for a waiver may be resubmitted by the school district, after~~
8 ~~the empowerment team corrects any deficiencies, not more than~~
9 ~~once in a school year.~~

10 ~~—10.— If an empowerment team has not been established pursuant~~
11 ~~to the exception provided in subsection 2 of NRS 388G.100, the~~
12 ~~principal of the school shall carry out the responsibilities and duties~~
13 ~~assigned to the empowerment team pursuant to this section.]~~

14 *9. The respective school district shall post a copy of the*
15 *empowerment plan, and any amendment to the empowerment*
16 *plan, that has been approved by the board of trustees of the school*
17 *district in a prominent location on the Internet website maintained*
18 *by the school district.*

19 **Sec. 4.** NRS 388G.200 is hereby amended to read as follows:

20 388G.200 1. ~~[Each]~~ *The superintendent of an* empowerment
21 ~~[school, other than a charter school that is sponsored by the State~~
22 ~~Public Charter School Authority or by a college or university within~~
23 ~~the Nevada System of Higher Education,]~~ *district* shall, on ~~[a~~
24 ~~quarterly]~~ *an annual* basis, submit to the board of trustees of the
25 school district ~~[in which the school is located]~~ a report ~~[that~~
26 ~~includes:~~

27 ~~—(a) The financial status of the school; and~~

28 ~~—(b) A description of]~~ *describing* the ~~[school's]~~ compliance *by*
29 *the school district* with each component of the empowerment plan .
30 ~~[[for the school.]~~

31 2. ~~[[Each charter school that is sponsored by the State Public~~
32 ~~Charter School Authority or by a college or university within the~~
33 ~~Nevada System of Higher Education which is approved to operate~~
34 ~~as an empowerment school shall, on a quarterly basis, submit to the~~
35 ~~Department a report that includes:~~

36 ~~—(a) The financial status of the school; and~~

37 ~~—(b) A description of the school's compliance with each~~
38 ~~component of the empowerment plan for the school.~~

39 ~~—3.— The board of trustees of a school district shall conduct a~~
40 ~~financial audit of each empowerment school within the school~~
41 ~~district, other than a charter school that is sponsored by the State~~
42 ~~Public Charter School Authority or by a college or university within~~
43 ~~the Nevada System of Higher Education. Each financial audit must~~
44 ~~be conducted on an annual basis and more frequently if determined~~
45 ~~necessary by the board of trustees.—~~



1 ~~—4. The Department shall conduct a financial audit of each~~
2 ~~charter school that is sponsored by the State Public Charter School~~
3 ~~Authority or by a college or university within the Nevada System of~~
4 ~~Higher Education which operates as an empowerment school on an~~
5 ~~annual basis and more frequently if determined necessary by the~~
6 ~~Department.~~

7 ~~—5.] On or before July 1 of each year, the board of trustees of~~
8 ~~each [school] empowerment district shall [compile] transmit the~~
9 ~~[reports and audits] report required pursuant to [subsections]~~
10 ~~subsection 1 [and 3, if any, and forward the compilation] to the:~~

- 11 (a) Governor;
12 (b) Department; and
13 (c) Joint Interim Standing Committee on Education.

14 ~~[6. On or before July 1 of each year, the Department shall~~
15 ~~compile the reports and audits required pursuant to subsections 2~~
16 ~~and 4, if any, and forward the compilation to the:~~

- 17 ~~—(a) Governor; and~~
18 ~~—(b) Joint Interim Standing Committee on Education.]~~

19 **Sec. 5.** NRS 388G.210 is hereby amended to read as follows:

20 388G.210 ~~[1.]~~ Except as otherwise provided pursuant to a
21 waiver granted in accordance with NRS 388G.130 , ~~[or 388G.140.]~~
22 each empowerment ~~[school,] district,~~ each person employed by an
23 empowerment ~~[school] district~~ and each pupil enrolled in *a school*
24 *located in* an empowerment ~~[school] district~~ shall comply with the
25 applicable requirements of state law, including, without limitation,
26 the standards of content and performance prescribed pursuant to
27 NRS 389.520 and the examinations that are administered pursuant
28 to NRS 390.105 and the college and career readiness assessment
29 administered pursuant to NRS 390.610.

30 ~~[2. Each empowerment school may accept gifts, grants and~~
31 ~~donations from any source for the support of its empowerment plan.~~
32 ~~A person who gives a gift, grant or donation may designate all or~~
33 ~~part of the gift, grant or donation specifically to carry out the~~
34 ~~incentive pay structure of the school, if applicable.]~~

35 **Sec. 6.** The provisions of subsection 1 of NRS 218D.380 do
36 not apply to any provision of this act which adds or revises a
37 requirement to submit a report to the Legislature.

38 **Sec. 7.** NRS 388G.060, 388G.100, 388G.110, 388G.120 and
39 388G.140 are hereby repealed.

40 **Sec. 8.** This act becomes effective on July 1, 2023.



LEADLINES OF REPEALED SECTIONS

388G.060 Adoption of policies and procedures; school choice for pupils; enrollment of pupils in empowerment school; no duty to provide transportation; procedure for empowerment school to obtain waiver from school district requirements and regulations.

388G.100 Establishment of empowerment team for school; exception from requirement of empowerment team; development of empowerment plan; participation by charter schools.

388G.110 Duties of school empowerment team.

388G.120 Requirements of school empowerment plan; request for waiver from certain statutes and regulations; budget for empowerment school and discretion over certain percentage of money.

388G.140 Review of empowerment plan for State Public Charter School Authority-sponsored and Nevada System of Higher Education-sponsored charter schools; opportunity to correct deficiencies; term of effectiveness; request for amendment; review of request for waiver from statute or regulation by State Board.



SENATE BILL NO. 47—COMMITTEE ON EDUCATION

(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to teachers. (BDR 34-379)

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; creating the Public Education Employee Working Conditions Task Force; prescribing the membership, powers and duties of the Task Force; authorizing the board of trustees of a school district to build, purchase or rent certain residential dwellings for employees; abolishing the fees for certain licenses; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Nevada State Teacher Recruitment and Retention Advisory Task Force for the purpose of evaluating and addressing the challenges in attracting and retaining teachers throughout this State. (NRS 391.490-391.496) **Section 5** of this bill creates the Public Education Employee Working Conditions Task Force. **Section 4** of this bill defines the term “Task Force” to refer to the Task Force created by **section 5**. **Sections 5, 7 and 12** of this bill set forth the membership, powers and duties of the Task Force. **Section 5** also: (1) prescribes certain procedural requirements governing the operation of the Task Force; (2) provides that members of the Task Force are entitled to a per diem allowance and travel expenses while engaged in the business of the Task Force; and (3) requires the Department of Education to provide administrative support to the Task Force. **Section 6** of this bill establishes procedures for the appointment of members to the Task Force. **Section 7** requires the Task Force to establish recommended standards for: (1) the working conditions of the employees of school districts, charter schools, the Department and the State Public Charter School Authority; and (2) the operation and accessibility of pathways to entering professions in public education. **Section 7** also requires the Task Force to analyze the degree to which school districts, charter schools, the Department, the State Public Charter School Authority and persons and entities involved in the operation of pathways to entering



20 professions in public education are making progress toward meeting the
21 recommended standards. **Section 7** also requires the Task Force to make
22 recommendations to the Joint Interim Standing Committee on Education, the school
23 districts and charter schools of this State, the Department, the State Public Charter
24 School Authority and persons and entities involved in the operation of pathways to
25 entering professions in public education concerning measures to improve: (1) the
26 working conditions of the employees of school districts, charter schools, the
27 Department and the State Public Charter School Authority; and (2) the operation
28 and accessibility of pathways to entering professions in public education. **Section**
29 **12** of this bill requires the Task Force to commission a third party to perform a
30 statewide study of the working conditions for employees of the school districts and
31 charter schools of this State, the Department and the State Public Charter School
32 Authority.

33 Existing law authorizes the board of trustees of a school district to build,
34 purchase or rent certain buildings, including teacherages. (NRS 393.080) **Section**
35 **10** of this bill expands this authority by authorizing the board of trustees of a school
36 district to build, purchase or rent other residential dwellings for employees of the
37 school district. **Section 10** authorizes the board of trustees of a school district to
38 own or rent teacherages or other dwellings directly or through a partnership with
39 another entity. **Section 1** of this bill authorizes the board of trustees of a school
40 district to use money in certain funds and accounts for that purpose, and **section 2**
41 of this bill authorizes the board of trustees of a school district to issue general
42 obligation bonds to raise money for that purpose. **Section 11** of this bill requires the
43 board of trustees of a school district to maintain residential dwellings for employees
44 in such repair as is necessary for the comfort and health of teachers and other
45 employees of the school district.

46 Existing law requires the Commission on Professional Standards in Education
47 to fix fees by regulation for the initial issuance of a license as a teacher or other
48 educational personnel and the renewal of such a license. (NRS 391.040) **Section 15**
49 of this bill repeals the authority to adopt such regulations, and **section 13** of this bill
50 provides that any regulations prescribing such fees are void. **Sections 8 and 9** of
51 this bill remove references to such fees.

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

1 **Section 1.** NRS 387.205 is hereby amended to read as follows:
2 387.205 1. Subject to the provisions of subsection 3, money
3 on deposit in the county school district fund or in a separate account,
4 if the board of trustees of a school district has elected to establish
5 such an account pursuant to the provisions of NRS 354.603, must be
6 used for:
7 (a) Maintenance and operation of the public schools controlled
8 by the county school district.
9 (b) Payment of premiums for Nevada industrial insurance.
10 (c) Rent of schoolhouses.
11 (d) Construction, furnishing or rental of teacherages **H** and
12 *other residential dwellings for employees of the school district,*
13 when approved by the Superintendent of Public Instruction.



1 (e) Transportation of pupils, including the purchase of new
2 buses.

3 (f) Programs of nutrition, if such expenditures do not curtail the
4 established school program or make it necessary to shorten the
5 school term, and each pupil furnished lunch whose parent or
6 guardian is financially able so to do pays at least the actual cost of
7 the lunch.

8 (g) Membership fees, dues and contributions to an
9 interscholastic activities association.

10 (h) Repayment of a loan made from the State Permanent School
11 Fund pursuant to NRS 387.526.

12 (i) Programs of education and projects relating to air quality
13 pursuant to NRS 445B.500.

14 2. Money on deposit in the county school district fund, or in a
15 separate account, if the board of trustees of a school district has
16 elected to establish such an account pursuant to the provisions of
17 NRS 354.603, when available, may be used for:

18 (a) Purchase of sites for school facilities.

19 (b) Purchase of buildings for school use.

20 (c) Repair and construction of buildings for school use.

21 3. The board of trustees of a school district, in allocating the
22 use of money pursuant to this section, shall prioritize expenditures
23 in a manner which ensures that the budgetary priorities determined
24 pursuant to NRS 387.301 are carried out.

25 **Sec. 2.** NRS 387.335 is hereby amended to read as follows:

26 387.335 1. The board of trustees of a county school district
27 may issue its general obligations to raise money for the following
28 purposes, and no others:

29 (a) Construction, design or purchase of new buildings for
30 schools, including, but not limited to, teacherages ~~§~~ *and other*
31 *residential dwellings for employees of the school district,*
32 dormitories, dining halls, gymnasiums and stadiums.

33 (b) Enlarging, remodeling or repairing existing buildings or
34 grounds for schools, including, but not limited to, teacherages ~~§~~
35 *and other residential dwellings for employees of the school district,*
36 dormitories, dining halls, gymnasiums and stadiums.

37 (c) Acquiring sites for building schools, or additional real
38 property for necessary purposes related to schools, including, but
39 not limited to, playgrounds, athletic fields and sites for stadiums.

40 (d) Paying expenses relating to the acquisition of school
41 facilities which have been leased by a school district pursuant to
42 NRS 393.080.

43 (e) Purchasing necessary motor vehicles and other equipment to
44 be used for the transportation of pupils or furniture and equipment
45 for schools. If money from the issuance of general obligations is



1 used to purchase vehicles and other equipment used for the
2 transportation of pupils or furniture and equipment to replace
3 existing vehicles and equipment or furniture and equipment, as
4 applicable, and the existing vehicles and equipment or furniture and
5 equipment subsequently are sold, the proceeds from the sale must be
6 applied toward the retirement of those obligations.

7 2. Any one or more of the purposes enumerated in subsection 1
8 may, by order of the board of trustees entered in its minutes, be
9 united and voted upon as one single proposition.

10 3. Any question submitted pursuant to this section and any
11 question submitted pursuant to NRS 387.3285 may, by order of the
12 board of trustees entered in its minutes, be united and voted upon as
13 a single proposition.

14 **Sec. 3.** Chapter 391 of NRS is hereby amended by adding
15 thereto the provisions set forth as sections 4 to 7, inclusive, of this
16 act.

17 **Sec. 4.** *As used in sections 4 to 7, inclusive, of this act, unless
18 the context otherwise requires, "Task Force" means the Public
19 Education Employee Working Conditions Task Force created by
20 section 5 of this act.*

21 **Sec. 5. 1.** *There is hereby created the Public Education
22 Employee Working Conditions Task Force consisting of the
23 following 11 members appointed by the Legislative Commission:*

24 (a) *Two employees of a school district, each of whom must be
25 employed by a school district located in a county whose population
26 is less than 100,000;*

27 (b) *Two employees of a school district, each of whom must be
28 employed by a school district located in a county whose population
29 is 100,000 or more but less than 700,000;*

30 (c) *Three employees of a school district, each of whom must be
31 employed by a school district located in a county whose population
32 is 700,000 or more;*

33 (d) *One employee of the Department;*

34 (e) *Two experts in the field of human resources for public
35 entities, at least one of whom must be employed as an executive of
36 human resources for a school district; and*

37 (f) *One employee of the State Public Charter School Authority.*

38 2. *A person may not serve concurrently on the Task Force
39 and:*

40 (a) *As the superintendent of a school district; or*

41 (b) *On another statewide or regional board, commission,
42 council, task force or similar body related to education.*

43 3. *Each member of the Task Force serves a term of 2 years
44 and may be reappointed to one additional 2-year term following
45 the initial full term of the member. If any member of the Task*



1 *Force ceases to be qualified for the position to which the member*
2 *is appointed, the position shall be deemed vacant. If a vacancy*
3 *occurs, the Legislative Commission shall appoint a member who*
4 *meets the qualifications prescribed by subsection 1 for the vacant*
5 *position to fill the vacancy for the remainder of the unexpired*
6 *term.*

7 *4. The Task Force shall, at its first meeting after the*
8 *appointment of members pursuant to section 6 of this act or the*
9 *first meeting after the position of Chair becomes vacant, elect a*
10 *Chair from among its members.*

11 *5. The Task Force shall meet at least four times each year*
12 *and may meet at other times upon the call of the Chair or a*
13 *majority of the members of the Task Force.*

14 *6. Six members of the Task Force constitute a quorum, and a*
15 *quorum may exercise all the power and authority conferred on the*
16 *Task Force.*

17 *7. Members of the Task Force serve without compensation*
18 *except that for each day or portion of a day during which a*
19 *member of the Task Force attends a meeting of the Task Force or*
20 *is otherwise engaged in the business of the Task Force, the*
21 *member is entitled to receive the per diem allowance and travel*
22 *expenses provided for state officers and employees generally.*

23 *8. Each member of the Task Force who is an officer or*
24 *employee of the State or a local government must be relieved from*
25 *the duties of the member without loss of regular compensation so*
26 *that the member may prepare for and attend meetings of the Task*
27 *Force and perform any work necessary to carry out the duties of*
28 *the Task Force in the most timely manner practicable. A state*
29 *agency or local government shall not require an officer or*
30 *employee who is a member of the Task Force to make up that time*
31 *the member is absent from work to carry out his or her duties as a*
32 *member, and shall not require the member to take annual*
33 *vacation or compensatory time for the absence.*

34 *9. The Department shall provide administrative support to the*
35 *Task Force.*

36 **Sec. 6. 1.** *On or before August 1 of an odd-numbered year,*
37 *a person who wishes to serve on the Task Force must submit to the*
38 *Legislative Commission an application on the form prescribed by*
39 *the Department. If the applicant is an employee of a school*
40 *district, the application must be accompanied by a letter from the*
41 *superintendent of the school district endorsing the applicant for*
42 *membership on the Task Force.*

43 *2. On or before September 1 of each odd-numbered year, the*
44 *Legislative Commission shall appoint the members of the Task*



1 *Force in accordance with section 5 of this act for a 2-year term*
2 *commencing on September 1 of the odd-numbered year.*

3 3. *To the extent possible, the Legislative Commission shall*
4 *appoint a variety of educational professionals to serve on the Task*
5 *Force, including, without limitation:*

- 6 (a) *Licensed teachers;*
- 7 (b) *Substitute teachers;*
- 8 (c) *Education support professionals; and*
- 9 (d) *Administrators.*

10 4. *As used in this section, "education support professional"*
11 *means a person, other than a teacher or administrator, who is*
12 *employed to work at a public school. The term includes, without*
13 *limitation:*

- 14 (a) *Paraprofessionals;*
- 15 (b) *School police officers, school resource officers and other*
16 *providers of security services at a school;*
- 17 (c) *School nurses;*
- 18 (d) *School counselors;*
- 19 (e) *School psychologists;*
- 20 (f) *School social workers;*
- 21 (g) *Drivers of school buses;*
- 22 (h) *Secretaries;*
- 23 (i) *Members of the custodial or maintenance staff; and*
- 24 (j) *Workers in food services.*

25 **Sec. 7. 1. The Task Force shall:**

26 (a) *Establish recommended standards for:*

27 (1) *The working conditions of the employees of school*
28 *districts, charter schools, the Department and the State Public*
29 *Charter School Authority; and*

30 (2) *The operation and accessibility of pathways to entering*
31 *professions in public education.*

32 (b) *Analyze the degree to which the school districts and charter*
33 *schools of this State, the Department, the State Public Charter*
34 *School Authority and persons and entities involved in the*
35 *operation and accessibility of pathways to entering professions in*
36 *public education are making progress toward meeting the*
37 *recommended standards established pursuant to paragraph (a).*

38 (c) *Make recommendations to the Joint Interim Standing*
39 *Committee on Education, the school districts and charter schools*
40 *of this State, the Department, the State Public Charter School*
41 *Authority and persons and entities involved in the operation of*
42 *pathways to entering professions in public education concerning*
43 *measures to improve:*



1 (1) *The working conditions of the employees of school*
2 *districts, charter schools, the Department and the State Public*
3 *Charter School Authority; and*

4 (2) *The operation and accessibility of pathways to entering*
5 *professions in public education.*

6 (d) *On or before August 1 of each even-numbered year,*
7 *present to the Joint Interim Standing Committee on Education*
8 *recommendations for legislation to improve:*

9 (1) *The working conditions of the employees of school*
10 *districts, charter schools, the Department and the State Public*
11 *Charter School Authority; and*

12 (2) *The operation and accessibility of pathways to entering*
13 *professions in public education.*

14 (e) *On or before December 31 of each even-numbered year,*
15 *submit a report describing the findings and recommendations of*
16 *the Task Force to:*

17 (1) *The Director of the Legislative Counsel Bureau for*
18 *transmittal to the Legislature;*

19 (2) *The Superintendent of Public Instruction;*

20 (3) *The superintendent of each school district in this State;*
21 *and*

22 (4) *The Executive Director of the State Public Charter*
23 *School Authority.*

24 2. *The recommended standards established pursuant to*
25 *paragraph (a) of subsection 1 must address all factors that*
26 *influence the working conditions of the employees of school*
27 *districts, charter schools, the Department and the State Public*
28 *Charter School Authority and the operation and accessibility of*
29 *pathways to entering professions in public education, including,*
30 *without limitation, funding, operations, staffing and internal*
31 *policies.*

32 **Sec. 8.** NRS 391.0965 is hereby amended to read as follows:

33 391.0965 1. The Department may charge and collect a fee of
34 \$50 to review information pertaining to and provide feedback
35 concerning a person's qualifications for a license to teach or
36 perform other educational functions, including, without limitation,
37 records from a college or other educational institution and scores on
38 examinations administered pursuant to the regulations adopted by
39 the Commission, before the person applies for such a license.
40 ~~[Except as otherwise provided in subsection 4, the]~~ *The* money
41 received from the fee collected pursuant to this section must be
42 deposited with the State Treasurer for credit to the appropriate
43 account of the Department.

44 2. Upon submission and payment of the fee prescribed
45 pursuant to subsection 1, the Department shall review the



1 information submitted pursuant to that subsection and provide
2 feedback to a person concerning whether the information submitted
3 by the person is indicative of whether the person appears to satisfy
4 all or some of the requirements for the issuance of a license and, if
5 so, the kind of license for which it appears the person may satisfy
6 the requirements.

7 3. The submission of information pursuant to subsection 1 or
8 any feedback provided by the Department pursuant to subsection 2
9 is not a substitute for the application process prescribed by NRS
10 391.033 and does not confer upon any person a right to the issuance
11 of a license.

12 ~~14. If the Department determines from the information~~
13 ~~submitted pursuant to subsection 1 that the person satisfies the~~
14 ~~requirements for the issuance of a license, the fee prescribed~~
15 ~~pursuant to subsection 1 must be applied toward the fee prescribed~~
16 ~~for the initial issuance of a license by the Commission pursuant to~~
17 ~~NRS 391.040.]~~

18 **Sec. 9.** NRS 391.330 is hereby amended to read as follows:

19 391.330 1. The State Board may suspend or revoke the
20 license of any teacher, administrator or other licensed employee, or
21 may issue a letter of reprimand to any teacher, administrator or other
22 licensed employee, after notice and an opportunity for hearing have
23 been provided pursuant to NRS 391.322 and 391.323, for:

24 (a) Unprofessional conduct.

25 (b) Immorality, as defined in NRS 391.650.

26 (c) Evident unfitness for service.

27 (d) Physical or mental incapacity which renders the teacher,
28 administrator or other licensed employee unfit for service.

29 (e) Conviction of a felony or crime involving moral turpitude.

30 (f) Conviction of a sex offense under NRS 200.366, 200.368,
31 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil
32 enrolled in a school of a county school district was the victim.

33 (g) Knowingly advocating the overthrow of the Federal
34 Government or of the State of Nevada by force, violence or
35 unlawful means.

36 (h) Persistent defiance of or refusal to obey the regulations of
37 the State Board, the Commission or the Superintendent of Public
38 Instruction, defining and governing the duties of teachers,
39 administrators and other licensed employees.

40 (i) Breaches in the security or confidentiality of the questions
41 and answers of the examinations that are administered pursuant to
42 NRS 390.105 and the college and career readiness assessment
43 administered pursuant to NRS 390.610.



1 (j) Intentional failure to observe and carry out the requirements
2 of a plan to ensure the security of examinations and assessments
3 adopted pursuant to NRS 390.270 or 390.275.

4 (k) An intentional violation of NRS 388.497 or 388.499.

5 (l) Knowingly and willfully failing to comply with the
6 provisions of NRS 388.1351.

7 (m) A substantiated report of abuse or neglect of a child, as
8 defined in NRS 432B.020, or a violation of NRS 201.540, 201.560,
9 392.4633 or 394.366 made against the applicant in any state.

10 2. The State Board shall adopt regulations governing the
11 process by which a letter of reprimand may be issued to a teacher,
12 administrator or other licensed employee pursuant to this section,
13 including, without limitation, regulations concerning the time period
14 during which a letter of reprimand will remain on the record of the
15 teacher, administrator or other licensed employee.

16 3. A teacher, administrator or other licensed employee whose
17 license is suspended pursuant to this section:

18 (a) May apply to reinstate his or her license after the period of
19 suspension, as determined by the State Board, is completed; and

20 (b) If he or she applies to reinstate his or her license pursuant to
21 paragraph (a), shall ~~[-~~

22 ~~-(1) Submit]~~ *submit* a new application for licensure to the
23 Department. ~~[- and~~

24 ~~-(2) Pay the appropriate fee for licensure.]~~

25 4. A teacher, administrator or other licensed employee whose
26 license is revoked may not apply to reinstate his or her license and
27 the Department shall not grant a new license to such a person.

28 **Sec. 10.** NRS 393.080 is hereby amended to read as follows:

29 393.080 1. The board of trustees of a school district may:

30 (a) Build, purchase or rent schoolhouses and other
31 school buildings, including, but not limited to ~~[- teacherages,~~
32 ~~gymnasiums]~~ :

33 *(1) Teacherages and other residential dwellings for*
34 *employees of the school district. Such teacherages and other*
35 *dwellings may be directly owned or rented by the school district or*
36 *operated through a partnership with another person or entity.*

37 *(2) Gymnasiums and stadiums. [- and dormitories]*

38 *(3) Dormitories* and dining halls as provided in
39 NRS 393.090.

40 (b) Enter into lease agreements for school facilities with an
41 option to purchase the facilities.

42 (c) Change the location of schools.

43 (d) Close a school or change the use of the school building to a
44 purpose other than the teaching of kindergarten through 12th grade.



1 (e) Supervise and inspect the work performed pursuant to a
2 contract to which the provisions of NRS 393.110 apply.

3 2. Any board of trustees which proposes to change the location
4 of a school, close a school or change the use of a school building as
5 provided in subsection 1 shall give 30 days' written notice to the
6 principal and teachers of the affected school and to the parents of
7 the children attending that school. In addition the board of trustees
8 shall publish a notice of the subject, time and place of the meeting at
9 which the matter will be considered, in a newspaper of general
10 circulation in the county at least 10 days before the meeting.

11 **Sec. 11.** NRS 393.100 is hereby amended to read as follows:

12 393.100 The board of trustees of a school district shall keep the
13 public school buildings, teacherages, *other residential dwellings for*
14 *employees of the school district*, dormitories, dining halls,
15 gymnasiums, stadiums and all other buildings in its charge in such
16 repair as is necessary for the comfort and health of pupils , ~~[and]~~
17 teachers ~~[]~~ *and other employees of the school district.*

18 **Sec. 12.** 1. The Public Education Employee Working
19 Conditions Task Force created by section 5 of this act shall, during
20 the 2023-2024 interim, commission a third party to conduct a study
21 of the working conditions for employees of school districts and
22 charter schools of this State, the Department of Education and the
23 State Public Charter School Authority. The study must include,
24 without limitation, a review of:

25 (a) Whether the school districts and charter schools of this State,
26 the Department of Education and the State Public Charter School
27 Authority are adequately funded and staffed and the effects of any
28 funding or staffing inadequacies on the working conditions for the
29 employees of those entities; and

30 (b) The operations and policies of the school districts and
31 charter schools of this State, the Department of Education and the
32 State Public Charter School Authority and ways to improve those
33 operations and policies for the purpose of improving the working
34 conditions for the employees of those entities.

35 2. The third party commissioned to conduct a study pursuant to
36 subsection 1 shall present the completed study to the Task Force at a
37 meeting of the Task Force.

38 **Sec. 13.** Any provisions of any regulation adopted by the
39 Commission on Professional Standards in Education pursuant to
40 NRS 391.040 prescribing a fee, including, without limitation, a fee
41 for the issuance or renewal of a license or the issuance of an
42 endorsement, are void. The Legislative Counsel shall remove those
43 provisions from the Nevada Administrative Code as soon as
44 practicable after July 1, 2023.



1 **Sec. 14.** The provisions of subsection 1 of NRS 218D.380 do
2 not apply to any provision of this act which adds or revises a
3 requirement to submit a report to the Legislature.

4 **Sec. 15.** NRS 391.040 is hereby repealed.

5 **Sec. 16.** This act becomes effective on July 1, 2023.

TEXT OF REPEALED SECTION

391.040 Fees for issuance and renewal of licenses; fee for duplicate license; waiver of fees for certain persons affiliated with Armed Forces.

1. The Commission shall fix fees of not less than \$100 for the:

(a) Initial issuance of a license, which must include the fees for processing the fingerprints of the applicant by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation; and

(b) Renewal of a license, which must include the fees for processing the fingerprints of the applicant for renewal by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation.

2. The fee for issuing a duplicate license is the same as for issuing the original.

3. The portion of each fee which represents the amount charged by the Federal Bureau of Investigation for processing the fingerprints of the applicant must be deposited with the State Treasurer for credit to the appropriate account of the Department of Public Safety. The remaining portion of the money received from the fees must be deposited with the State Treasurer for credit to the appropriate account of the Department of Education.

4. The Department of Education may waive any fee for the initial issuance of a license, the renewal of a license or the issuance of a duplicate license for an applicant or licensee who is a veteran of the Armed Forces of the United States, an applicant or licensee who is a member of the Armed Forces of the United States who is on active duty or an applicant or licensee who is the spouse of such a veteran or member of the Armed Forces of the United States.



SENATE BILL NO. 56—COMMITTEE ON EDUCATION

(ON BEHALF OF THE WASHOE COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Creates a commission to study and make recommendations concerning education statutes and regulations. (BDR S-407)

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; creating the Commission on School Modernization to study and make recommendations concerning education statutes and regulations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill: (1) creates the Commission on School Modernization; (2) establishes
2 the membership of the Commission; (3) requires the Commission to conduct a
3 study and make recommendations regarding revisions to the Nevada Revised
4 Statutes and Nevada Administrative Code to improve the efficiency and quality of
5 education in this State; (4) authorizes the Commission to employ or contract for the
6 services of professional, technical, clerical, operational and other personnel and
7 consultants as required to carry out its duties; (5) authorizes the Commission to
8 establish working groups to address specific issues or otherwise assist in its work;
9 and (6) authorizes the Commission to request the drafting of not more than one
10 legislative measure for prefiling on or before the first day of the regular legislative
11 session in 2025. Finally, this bill expires by limitation the Commission on School
12 Modernization on June 30, 2025.

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

1 **Section 1.** 1. The Commission on School Modernization is
2 hereby created.



1 2. The Commission consists of the superintendent of schools of
2 each school district or the superintendent's designee.

3 3. The Commission shall, at its first meeting, elect a Chair and
4 Vice Chair from among its members.

5 4. A vacancy occurring in the membership of the Commission
6 must be filled in the same manner as the original appointment.

7 5. A majority of the members of the Commission constitutes a
8 quorum for the transaction of business, and a majority of those
9 members present at any meeting is sufficient for any official action
10 taken by the Commission.

11 6. The Commission shall hold its first meeting on or before
12 September 1, 2023, and hold such additional number of meetings as
13 may be necessary to accomplish the tasks assigned to it.

14 7. A member of the Commission who is an officer or employee
15 of this State or a political subdivision thereof must be relieved from
16 his or her duties without loss of his or her regular compensation so
17 that the member may prepare for and attend meetings of the
18 Commission and perform any work necessary to carry out the duties
19 of the Commission in the most timely manner practicable. A state
20 agency or political subdivision of this State shall not require an
21 officer or employee who is a member of Commission to:

22 (a) Make up the time the member is absent from work to carry
23 out his or her duties as a member of the Commission; or

24 (b) Take annual leave or compensatory time for the absence.

25 8. The members of the Commission serve without
26 compensation or per diem allowance. A member may receive
27 reimbursement for travel expenses if sufficient money is collected
28 pursuant to subsection 9 for the Commission to carry out its duties
29 pursuant to this section.

30 9. The Commission may apply for any available grants and
31 accept any gifts, grants or donations to assist the Commission in
32 carrying out its duties pursuant to this section.

33 10. The Commission shall, during the 2023-2024 interim,
34 conduct a study and make recommendations regarding revisions to
35 the Nevada Revised Statutes and Nevada Administrative Code to
36 improve the efficiency and quality of education in this State,
37 including, without limitation, the study of and recommendations on
38 the following topics:

39 (a) Competency-based education;

40 (b) Work-based learning;

41 (c) Career and technical education;

42 (d) Dual enrollment;

43 (e) Science, technology, engineering and mathematics
44 education, science, technology, engineering, arts and mathematics
45 education and robotics;



- 1 (f) Teacher and support staff pipeline;
- 2 (g) Mental and behavioral health;
- 3 (h) Pupil discipline;
- 4 (i) Accountability;
- 5 (j) Preparation of pupils for higher education and vocational
- 6 training; and
- 7 (k) Easing the transition of pupils to higher education and
- 8 vocational training.

9 11. The Commission may employ or contract for the services
10 of such professional, technical, clerical, operational and other
11 personnel and consultants as the Commission requires to carry out
12 its duties.

13 12. The Commission may establish such working groups from
14 within or outside its membership, including, without limitation,
15 local experts who may be most impacted by the work of the
16 Commission, to address specific issues or otherwise to assist in its
17 work.

18 13. The Commission may request the drafting of not more than
19 one legislative measure which relates to matters within the scope of
20 the Commission. The request must be submitted to the Legislative
21 Counsel on or before December 10, 2024, and must be on a form
22 prescribed by the Legislative Counsel. A legislative measure
23 requested pursuant to this subsection must be prefiled on or before
24 the first day of the regular session of the Legislature in 2025. A
25 legislative measure that is not prefiled on or before that day shall be
26 deemed withdrawn.

27 **Sec. 2.** This act becomes effective on July 1, 2023, and expires
28 by limitation on June 30, 2025.



SENATE BILL NO. 65—COMMITTEE ON EDUCATION

(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to the boards of trustees of county school districts. (BDR 34-386)

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; requiring a candidate for the office of trustee of a school district to obtain and file certain certifications; revising provisions governing certain training for professional development required for the members of boards of trustees of school districts and candidates for the office of trustee of a school district; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires each school district of this State to be governed by an
2 elected board of trustees comprised of either five or seven members who serve 4-
3 year terms. (NRS 386.120-386.165) Existing law requires a member of the board of
4 trustees of a school district to complete certain training for professional
5 development in both the first and third year of their 4-year term. (NRS 386.327)
6 **Section 2** of this bill requires a candidate for the office of trustee of a school district
7 to obtain a written certification that he or she has completed certain training for
8 professional development, which is the same as the training that a member of the
9 board of trustees of a school district is required to complete in the first and third
10 year of his or her term. **Section 3** of this bill requires the Department of Education
11 to approve one or more organizations, known as school board governance
12 organizations, to certify that a candidate for the office of trustee of a school district
13 or a member of the board of trustees of a school district has completed the required
14 training for professional development. **Section 6** of this bill requires a member of
15 the board of trustees of a school district to submit the certification issued by a
16 school board governance organization to the clerk of the board of trustees. **Section**
17 **5** of this bill requires a candidate for the office of trustee of a school district to file
18 the certification issued by a school board governance organization with the county
19 clerk of the county in which the school district is located not later than the date on



20 which the candidate files his or her declaration of candidacy. **Sections 2 and 6**
21 require the training for professional development to be provided by a person who
22 has been approved by the Department to provide such training.

23 **Section 4** of this bill requires a candidate for the office of trustee of a school
24 district to submit a complete set of the candidate's fingerprints and written
25 permission authorizing the Superintendent of Public Instruction to: (1) forward the
26 fingerprints to the Central Repository for Nevada Records of Criminal History and
27 the Federal Bureau of Investigation for reports on the criminal history of the
28 candidate; and (2) obtain any information concerning the candidate that may be
29 available from the Statewide Central Registry for the Collection of Information
30 Concerning the Abuse or Neglect of a Child and any equivalent registry. **Section 4**
31 requires the Superintendent to issue a written certification that a candidate has
32 passed the investigation into his or her background, depending on the information
33 obtained by the Superintendent during the investigation. **Section 4** authorizes the
34 Superintendent to refuse to issue the certification if a report on the criminal history
35 of the applicant from the Federal Bureau of Investigation or the Central Repository
36 for Nevada Records of Criminal History indicates that a candidate has been arrested
37 for or charged with a sexual offense involving a minor or pupil and authorizes the
38 candidate to request a hearing if the Superintendent intends to refuse to issue the
39 certification on such basis. **Section 5** requires a candidate for the office of trustee of
40 a school district to file the certification issued by the Superintendent with the
41 county clerk of the county in which the school district is located not later than the
42 date on which the candidate files his or her declaration of candidacy.

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

1 **Section 1.** Chapter 386 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2. 1. Any person who is a candidate for the office of**
4 ***trustee of a school district, before filing a declaration of candidacy***
5 ***for the office, must obtain a written certification from a school***
6 ***board governance organization that the person has completed,***
7 ***within the immediately preceding 12 months, training consisting***
8 ***of not less than 6 hours of instruction covering:***

9 (a) ***Laws relating to public records, including, without***
10 ***limitation, the provisions of chapter 239 of NRS;***

11 (b) ***The Open Meeting Law, including, without limitation, the***
12 ***provisions of chapter 241 of NRS;***

13 (c) ***Local government employee-management relations,***
14 ***including, without limitation, the provisions of chapter 288 of***
15 ***NRS;***

16 (d) ***The system of K-12 public education in this State,***
17 ***including, without limitation, the provisions of title 34 of NRS;***

18 (e) ***Local government ethics, including, without limitation, the***
19 ***provisions of chapter 281A of NRS;***

20 (f) ***The manner in which to identify and prevent violence in***
21 ***public schools, including, without limitation, sexual violence;***



1 (g) *Financial management, including, without limitation,*
2 *information concerning oversight, accountability and audits;*

3 (h) *The fiduciary duties of a member of the board of trustees*
4 *of a school district, including, without limitation, the provisions of*
5 *this chapter; and*

6 (i) *Laws relating to employment and contracts.*

7 2. *The training required by this section must be provided by a*
8 *person or organization that has been approved by the Department*
9 *to provide such training.*

10 3. *A written certification issued pursuant to this section is*
11 *valid for 1 year after the date of issuance.*

12 4. *As used in this section, "school board governance*
13 *organization" means an organization which has been approved by*
14 *the Department to operate as a school board governance*
15 *organization pursuant to section 3 of this act.*

16 **Sec. 3.** *The Department shall approve one or more*
17 *organizations with expertise in the governance of school boards to*
18 *operate as a school board governance organization, the purpose of*
19 *which is to certify that a person has completed any training*
20 *required pursuant to NRS 386.327 or section 2 of this act.*

21 **Sec. 4.** 1. *Any person who is a candidate for the office of*
22 *trustee of a school district, before filing a declaration of candidacy*
23 *for the office, must submit to the Superintendent of Public*
24 *Instruction:*

25 (a) *A complete set of the person's fingerprints and written*
26 *permission authorizing the Superintendent of Public Instruction*
27 *to forward the fingerprints to the Central Repository for Nevada*
28 *Records of Criminal History for its report on the criminal history*
29 *of the person and for submission to the Federal Bureau of*
30 *Investigation for its report on the criminal history of the person;*
31 *and*

32 (b) *Written authorization for the Superintendent of Public*
33 *Instruction to obtain any information concerning the person that*
34 *may be available from the Statewide Central Registry for the*
35 *Collection of Information Concerning the Abuse or Neglect of a*
36 *Child established by NRS 432.100 and any equivalent registry*
37 *maintained by a governmental entity in a jurisdiction in which the*
38 *person has resided within the immediately preceding 5 years.*

39 2. *In conducting an investigation into the background of a*
40 *person who is a candidate for the office of trustee of a school*
41 *district, the Superintendent of Public Instruction may cooperate*
42 *with any appropriate law enforcement agency to obtain*
43 *information relating to the criminal history of the person,*
44 *including, without limitation, any record of warrants for the arrest*
45 *of or applications for protective orders against the person.*



1 3. Except as otherwise provided in subsection 5, the
2 Superintendent of Public Instruction shall issue a written
3 certification to a person who is a candidate for the office of trustee
4 of a school district indicating that the person has passed the
5 investigation into his or her background pursuant to this section if
6 the information obtained by the Superintendent of Public
7 Instruction pursuant to subsections 1 and 2 does not indicate that:

8 (a) The person has been convicted of a felony or any offense
9 involving moral turpitude or indicates that the person has been
10 convicted of a felony or an offense involving moral turpitude but
11 the Superintendent of Public Instruction determines that the
12 conviction is unrelated to the office of trustee of a school district;

13 (b) The person has been convicted of any offense involving
14 fraud, theft, embezzlement, fraudulent conversion or
15 misappropriation of property;

16 (c) There has been a substantiated report of abuse or neglect
17 of a child, as defined in NRS 432B.020, or a violation of NRS
18 201.540, 201.560, 392.4633 or 394.366 made against the person in
19 any state; and

20 (d) The person has a warrant for his or her arrest.

21 4. If, pursuant to paragraph (c) of subsection 3, the
22 information indicates that a substantiated report has been made
23 against the person in any state, the Superintendent of Public
24 Instruction shall:

25 (a) Notify the applicant of the substantiated report; and

26 (b) Provide the person an opportunity to rebut the
27 substantiated report.

28 5. The Superintendent of Public Instruction may refuse to
29 issue a certification pursuant to subsection 3 if:

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

36 (b) The Superintendent of Public Instruction provides to the
37 person:

38 (1) Written notice of his or her intent to refuse to issue the
39 certification; and

40 (2) An opportunity for the person to have a hearing.

41 6. To request a hearing pursuant to subsection 5, a person
42 must submit a written request to the Superintendent of Public
43 Instruction within 15 days after receipt of the notice by the person.
44 Such a hearing must be conducted in accordance with regulations
45 adopted by the State Board. If no request for a hearing is filed



1 *within that time, the Superintendent of Public Instruction may*
2 *refuse to issue the certification.*

3 *7. The Superintendent of Public Instruction may not be held*
4 *liable for damages resulting from any action of the*
5 *Superintendent of Public Instruction authorized by subsection 2.*

6 *8. A written certification issued pursuant to this section is*
7 *valid for 1 year after the date of issuance.*

8 *9. As used in this section, "sexual offense" has the meaning*
9 *ascribed to it in NRS 179D.097.*

10 **Sec. 5.** NRS 386.250 is hereby amended to read as follows:

11 386.250 A candidate for the office of trustee of a county school
12 district must:

13 1. Be nominated in the manner provided by the primary
14 election laws of this State; ~~and~~

15 2. File a declaration of candidacy, as defined in NRS 293.0455,
16 with the county clerk of the county whose boundaries are
17 conterminous with the boundaries of the county school district ~~;~~ ;
18 *and*

19 *3. Not later than the date on which he or she files a*
20 *declaration of candidacy, file with the clerk of the county whose*
21 *boundaries are conterminous with the boundaries of the county*
22 *school district a written certification issued by:*

23 *(a) A school board governance organization pursuant to*
24 *section 2 of this act; and*

25 *(b) The Superintendent of Public Instruction pursuant to*
26 *section 4 of this act.*

27 **Sec. 6.** NRS 386.327 is hereby amended to read as follows:

28 386.327 1. Each person who is elected or appointed to serve
29 as a member of the board of trustees of a school district shall
30 complete training for professional development during the first and
31 third year of the term of the member which must include not less
32 than 6 hours of instruction covering:

33 (a) Laws relating to public records, including, without
34 limitation, the provisions of chapter 239 of NRS;

35 (b) The Open Meeting Law, including, without limitation, the
36 provisions of chapter 241 of NRS;

37 (c) Local government employee-management relations,
38 including, without limitation, the provisions of chapter 288 of NRS;

39 (d) The system of K-12 public education in this State, including,
40 without limitation, the provisions of title 34 of NRS;

41 (e) Local government ethics, including, without limitation, the
42 provisions of chapter 281A of NRS;

43 (f) The manner in which to identify and prevent violence in
44 public schools, including, without limitation, sexual violence;



1 (g) Financial management, including, without limitation,
2 information concerning oversight, accountability and audits;

3 (h) The fiduciary duties of a member of the board of trustees of
4 a school district, including, without limitation, the provisions of this
5 chapter; and

6 (i) Laws relating to employment and contracts.

7 2. A member of the board of trustees of a school district shall
8 provide ~~[written certification of completion of the training required~~
9 ~~by this section]~~ to the clerk of the board of trustees ~~[.]~~ *a written*
10 *certification issued by a school board governance organization*
11 *demonstrating that the member has completed the training*
12 *required by this section.*

13 3. If a member fails to complete the training or to provide the
14 written certification ~~[of completion]~~ which is required by this
15 section, the clerk must post notice of such noncompliance in a
16 conspicuous manner on the Internet website of the board of trustees.
17 The clerk must also provide written notice of the noncompliance to
18 the other members of the board of trustees.

19 4. The clerk of the board of trustees shall assist each member
20 of the board as necessary to complete the training required pursuant
21 to ~~[this section.]~~ *subsection 1.*

22 5. *The training required by this section must be provided by a*
23 *person who has been approved by the Department to provide such*
24 *training.*

25 6. *As used in this section, "school board governance*
26 *organization" means an organization which has been approved by*
27 *the Department to operate as a school board governance*
28 *organization pursuant to section 2 of this act.*

29 **Sec. 7.** 1. This section becomes effective upon passage and
30 approval.

31 2. Sections 1 to 6, inclusive, of this act become effective:

32 (a) Upon passage and approval for the purpose of adopting any
33 regulations and performing any other preparatory administrative
34 tasks that are necessary to carry out the provisions of this act; and

35 (b) On July 1, 2023, for all other purposes.



