

NRS 388.227 Establishment of individual graduation plans for certain pupils; eligibility for plan; conditions for participation in plan; effect on calculation of graduation rate of pupils.

1. The board of trustees of each school district shall, and the governing body of each charter school that operates as a high school and is in good standing with its sponsor may, adopt a policy to authorize the establishment of individual graduation plans for pupils enrolled in a *middle school or* high school within the school district or operated by the charter school, as applicable, who:

(a) Are deficient in credits and not likely to graduate according to schedule;

(b) Have performed poorly on the college and career readiness assessment administered pursuant to [NRS 390.610](#); or

(c) Have attended or will attend school in another country as a foreign exchange student for at least one semester. *or*

(d) Are designated as an English learner.

2. In addition to the conditions set forth in paragraphs (a), (b) and (c) of subsection 1, the Superintendent of Public Instruction may establish other conditions for a pupil to be eligible for an individual graduation plan.

3. An individual graduation plan must establish an academic plan for a pupil to allow the pupil to graduate with a standard high school diploma not later than 3 semesters after the date on which the pupil was otherwise scheduled to graduate. The individual graduation plan ~~must include any conditions to which a pupil must agree to comply to remain enrolled in the high school. Such conditions~~ may include, without limitation, any subjects that must be completed, *tailored academic supports*, the minimum number of units of credit in which the pupil must enroll each semester, the minimum grade point average that must be maintained by the pupil and any other conditions necessary to ensure that the pupil makes adequate progress to obtain a ~~standard~~ high school diploma within the time allowed. *This statute does not limit English learners or Special Education students who are subject to extended provisions.*

(a) The development of such plans must comply with the provisions outlined in NRS 388.165 and 388.205 regarding family engagement, in addition to collaboration with English learner support specialists, IEP teams, or other specialized support personnel as applicable.

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

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

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

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

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

6. A pupil for whom an individual graduation plan has been established must be counted when calculating the graduation rates of pupils in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to [NRS 385A.070](#) and the annual report of accountability prepared by the State Board pursuant to [NRS 385A.400](#) for the year in which the pupil was scheduled to graduate until the pupil obtains a standard high school diploma and then must be counted for the appropriate year as determined by the Department pursuant to subsection 8.

7. A pupil for whom an individual graduation plan has been established must not be counted when calculating the graduation rates of pupils used to determine whether the sponsor of a charter school may take certain actions concerning the charter school pursuant to [NRS 388A.330](#).

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

(a) Obtains a standard high school diploma within the time allowed by the individual graduation plan, the pupil must be counted as having received a standard high school diploma when calculating the graduation rates of pupils for the purposes of [NRS 388A.330](#), if applicable, in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to [NRS 385A.070](#) and the annual report of accountability prepared by the State Board pursuant to [NRS 385A.400](#) for the year in which the pupil graduates.

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

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

10. For the purposes of this section, a charter school for which the governing body has been reconstituted or the charter contract terminated or restarted in accordance with [NRS 388A.285](#), [388A.300](#) or [388A.330](#), as applicable, shall not be deemed to be in good standing unless the charter school is carrying out an improvement plan approved by the sponsor of the charter school and incorporated into the charter contract.

(Added to NRS by [2017, 3129](#); A [2017, 3406, 3408](#))

NRS 387.12463 Commission on School Funding: Duties; receipt of annual report; remedial actions based on contents of report; recommendations.

1. The Commission shall:

(a) Provide guidance to school districts and the Department on the implementation of the Pupil-Centered Funding Plan.

(b) Monitor the implementation of the Pupil-Centered Funding Plan and make any recommendations to the Joint Interim Standing Committee on Education that the Commission determines would, within the limits of appropriated funding, improve the implementation of the Pupil-Centered Funding Plan or correct any deficiencies of the Department or any school district or public school in carrying out the Pupil-Centered Funding Plan.

(c) Review the statewide base per pupil funding amount, the adjusted base per pupil funding for each school district and the multiplier for weighted funding for each category of pupils appropriated by law pursuant to [NRS 387.1214](#) for each biennium and recommend any revisions the Commission determines to be appropriate to create an optimal level of funding for the public schools in this State, including, without limitation, by recommending the creation or elimination of one or more categories of pupils to receive additional weighted funding. If the Commission makes a recommendation pursuant to this paragraph which would require more money to implement than was appropriated from the State Education Fund in the immediately preceding biennium, the Commission shall also identify a method to fully fund the recommendation within 10 years after the date of the recommendation.

(d) Review the laws and regulations of this State relating to education, make recommendations to the Joint Interim Standing Committee on Education for any revision of such laws and regulations that the Commission determines would improve the efficiency or effectiveness of public education in this State and notify each school district of each such recommendation.

(e) Review and recommend to the Department revisions of the cost adjustment factors for each county established pursuant to [NRS 387.1215](#) and the method for calculating the attendance area adjustment established pursuant to [NRS 387.1218](#).

(f) Work with the Department, any relevant boards and committees, school districts and charter schools to develop and recommend an analysis of the return on investment of using the funding provided by the Pupil-Centered Funding Plan and allocated by local educational agencies to obtain certain pupil outcomes.

(g) Review and consider the implications on funding of strategies to improve the accessibility and ensure the equitability of existing and new programs for pupils within and between public schools, including, without limitation, open zoning.

(h) In each even-numbered year, review and propose any recommended revisions to the method of calculating the percentage of pupils determined to be most in need of additional services and assistance to graduate pursuant to subsection 1 of [NRS 387.1211](#). In conducting such a review, the Commission shall select a third party to verify that any calculation or algorithm used to make such determination accurately identifies the percentage of at-risk pupils enrolled in public schools in this State and determine whether any more accurate or effective method of calculating the percentage of such pupils exists. A third party selected by the Commission pursuant to this paragraph shall, on or before September 1 of each even-numbered year, submit a report of its findings concerning methods of calculating the percentage of at-risk pupils enrolled in public schools in this State, and any recommendations for alternative methods, to the Department, the State Board and the Commission.

(i) Review the process and evaluate alternatives for adjusting funding allocations on weighted counts of categories of pupils identified in paragraph (e) of subsection 2 of [NRS 387.1214](#) to determine the most effective method for ensuring funding that is stable and equitable. The review must include, without limitation:

(1) An evaluation of quarterly, annual and multi-year methods for averaging counts of pupil enrollment;

(2) An analysis of the impact of such averaging methods on funding stability, program implementation and equity across school districts, charter schools and university schools for profoundly gifted pupils;

(3) Consolidation of stakeholder feedback regarding funding predictability and administrative efficiency; and

(4) Exploration of alternative approaches, including, without limitation, the use of a 3-year average or high count for 3 years, to balance accuracy and stability in funding streams.

(j) Review and recommend whether other pupils, in addition to those identified in the percentage of at-risk pupils determined to be the most in need of additional services and assistance to graduate pursuant to subsection 1 of [NRS 387.1211](#), should also be identified as at-risk pupils for such purposes.

(k) At least once each year, meet with the Commission on Innovation and Excellence in Education created by [NRS 385.910](#) to discuss and review progress on any studies, research and recommendations developed by each group that concern shared domains of focus.

(l) Review the adequacy of the weight for English learners per NRS 387.1214(2)(e)(1), in addition to consulting with subject matter experts regarding the definitions and expenditure categories for “services for pupils who are English learners” per NRS 387.12445(10)(b).

2. Each school district and each charter school shall submit an annual report to the Commission that identifies how funding from the Pupil-Centered Funding Plan is being allocated to improve the academic performance and progress of pupils. The Commission shall review the reports submitted pursuant to this subsection and transmit the reports, along with any commentary or recommendations relating to the reports, to the Governor, the Director of the Legislative Counsel Bureau, the Joint Interim Standing Committee on Education and the Interim Finance Committee.

3. After receiving the reports submitted to the Commission pursuant to subsection 2, the Governor may, with the approval of the Legislature or Interim Finance Committee if the Legislature is not in session, direct a school district or charter school to take such remedial actions as the Governor determines to be necessary and appropriate to address any deficiency identified in the reports submitted pursuant to subsection 2.

NRS 388.406 Rights of English learners.

1. A pupil who is an English learner has the right to:

(a) Receive a free appropriate public education regardless of the immigration status or primary language of the pupil or the parent or legal guardian of the pupil;

(b) Equal access to all programming and services offered to pupils in the same grade level who are not English learners by the school or school district in which the pupil is enrolled;

(c) Receive instruction at the same grade level as other pupils who are of a similar age as the pupil who is an English learner, unless the school or school district in which the pupil is enrolled determines it is appropriate for the pupil who is an English learner to be placed in a different grade level;

(d) Equal access to participate in extracurricular activities;

(e) Receive appropriate services for academic support provided by the school or school district to pupils enrolled in the school or school district who are not English learners;

(f) Be evaluated each year to determine the progress of the pupil in learning the English language and to obtain information about the academic performance of the pupil, including, without limitation, the results of an examination administered pursuant to [NRS 390.105](#); and

(g) Be continuously placed in a program for English learners for as long as the pupil is classified as an English learner unless the parent or legal guardian of the pupil declines for the pupil to be placed in a program for English learners.

2. The parent or legal guardian of a pupil who is an English learner has the right to:

(a) Enroll his or her child in a public school without disclosing the immigration status of the pupil or the parent or legal guardian;

(b) To the extent practicable, have a qualified interpreter in the primary language of the parent or legal guardian with the parent or legal guardian during significant interactions with the school district;

(c) To the extent practicable, receive written notice in both English and the primary language of the parent or legal guardian that the pupil has been identified as an English learner and will be placed in a program for English learners, *and the educational involvement accords prescribed pursuant to NRS 392.4575*;

(d) Receive information about the progress of the pupil in learning the English language and, if the pupil is enrolled in a program of bilingual education, the progress of the pupil in learning the languages of that program;

(e) At the request of the parent or legal guardian, meet with staff of the school in which the pupil is enrolled at least once a year, in addition to any other required meetings, to discuss the overall progress of the pupil in learning the English language;

(f) Transfer the pupil to another school within the school district if the school in which the pupil is currently enrolled does not offer a program for English learners;

(g) Receive information related to any evaluations of the pupil pursuant to paragraph (f) of subsection 1; and

(h) Contact the Department or the school district, as applicable, if the school or school district in which the pupil is enrolled violates the provisions of this section.

- (i) *Be engaged in the school-level decision-making process to the extent available to all other parents and guardians through parent advisory groups, family engagement efforts, and other applicable engagements.*

3. The family engagement efforts completed pursuant to this section shall be included in the reporting required pursuant to NRS 385A.320.

3. Notwithstanding the provisions of paragraphs (b) and (c) of subsection 2, the board of trustees of each school district shall provide information to the parent or legal guardian of a pupil who is an English learner in a language and format that the parent or legal guardian can understand.

4. To the extent practicable, the board of trustees of each school district shall, in writing and in both English and the primary language of the parent or legal guardian of a pupil who is an English learner, inform the parent or legal guardian of the rights described in this section at the time of the registration of the pupil in a school within the school district or at the time the pupil is identified as an English learner. The school district shall provide a copy of the rights described in this section at the annual registration of a pupil in a school within the school district to the parent or legal guardian of a pupil who is an English learner.

5. The Department shall provide translated copies of the rights described in this section in the five most common languages other than English primarily spoken in the households within each school district, which may include, without limitation, Spanish and Tagalog. The board of trustees of each school district and each school that enrolls pupils who are English learners shall post a copy of the rights described in this section on their respective Internet websites in as many languages as possible, which may include, without limitation, and as applicable for the school district, the languages translated by the Department pursuant to this subsection.

(Added to NRS by [2021, 1383](#); A [2025, 2672](#))

391.XXX COPS Study on ELAD and Bilingual Endorsements

1. The Commission on Professional Standards in Education shall conduct a study during the 2027-2028 Interim on:

(a) the English language acquisition and development and bilingual education endorsements and their current requirements. Such evaluation should consider the coursework presently required or embedded within educator preparation programs, the specialization needs of the endorsement, and feedback from subject matter experts regarding the course content and requirements.

(b) A proposed plan of implementation for requiring educator preparation programs to require that early education, elementary education, or special education programs include an English language acquisition and development or bilingual education endorsement for all graduates, and that all secondary education programs require at least one course in English language acquisition and development.

2. The Commission shall submit a report to the Legislature by November 1, 2028 regarding their findings and recommendations.

NRS 388.XXX

- 1. There is hereby appropriated from the State General Fund to the Department of Education for the purpose of providing grants of money to school districts and charter schools for scholarships to pre-service and in-service educators seeking English language acquisition and development or bilingual education endorsements the following sums:*

For the fiscal year 2027-2028.....\$230,000

For the fiscal year 2028-2029.....\$230,000

- 2. Any balance of the sums appropriated by subsection 1 must not be committed for expenditure after June 30, 2029 by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner; and any portion of the appropriated money remaining must not be spent for any purpose after September 14, 2029, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 14, 2029.*