

SENATE BILL NO. 330—SENATOR HORSFORD

MARCH 16, 2009

Referred to Committee on Health and Education

SUMMARY—Enacts the Initiative for a World-Class Education in Nevada. (BDR 34-171)

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; revising provisions relating to the Superintendent of Public Instruction; making various changes regarding the Department of Education, the State Board of Education and various councils and commissions related to the system of public education in this State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law establishes the Department of Education, consisting of the State  
2 Board of Education, the State Board for Career and Technical Education and the  
3 Superintendent of Public Instruction, and creates the Commission on Educational  
4 Excellence, the Commission on Educational Technology, the Council to Establish  
5 Academic Standards for Public Schools, the Commission on Professional Standards  
6 in Education and the Statewide Council for the Coordination of the Regional  
7 Training Programs. (NRS 385.010, 385.3784, 388.790, 389.510, 391.011, 391.516)  
8 This bill repeals provisions creating the Commission on Educational Excellence,  
9 the Commission on Educational Technology, the Council to Establish Academic  
10 Standards for Public Schools, the Commission on Professional Standards in  
11 Education and the Statewide Council for the Coordination of the Regional Training  
12 Programs. This bill also transfers certain duties and responsibilities formerly  
13 assigned to those bodies to the State Board of Education and the Department of  
14 Education.

15 **Section 8** of this bill revises the membership of the State Board of Education to  
16 eliminate the 10 districts from which members are elected and provides for the  
17 election of one member from each of the congressional districts (currently three)  
18 and the appointment of one member each by the Governor, the Majority Leader of  
19 the Senate, the Speaker of the Assembly and the Board of Regents of the University  
20 of Nevada. (NRS 385.021) **Section 8** also prescribes the requirements for the  
21 members.



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22 **Section 9** of this bill requires the State Board of Education to establish clear  
23 and well-defined goals for the education of pupils in this State, the improvement of  
24 the system of public education in this State and to meet other specific objectives  
25 relating to education. (NRS 385.075)

26 Under existing law, the Superintendent is appointed by the State Board. (NRS  
27 385.150) This bill changes the name of the Superintendent of Public Instruction to  
28 the State Superintendent for Education. **Section 11** of this bill requires the  
29 Governor to nominate and the Senate to confirm each appointment as State  
30 Superintendent. If the position is vacant at a time when the Legislature is not in  
31 session, the Legislative Commission has the authority to confirm such a nominee.  
32 (NRS 385.150)

33 **Section 2** of this bill creates within the Department four divisions: (1) the  
34 Division of Assessment and Accountability; (2) the Division of Curriculum and  
35 Instruction; (3) the Division of Operations, Fiscal Services and Technology; and (4)  
36 the Division of Innovation, Research and Professional Development. **Section 15** of  
37 this bill revises the Deputy Superintendent of Instructional, Research and  
38 Evaluative Services to be the Deputy Superintendent of the Division of Curriculum  
39 and Instruction. (NRS 385.290) **Section 16** of this bill revises the Deputy  
40 Superintendent for Administrative and Fiscal Services to be the Deputy  
41 Superintendent of the Division of Operations, Fiscal Services and Technology.  
42 (NRS 385.300) **Sections 3 and 4** of this bill require the State Superintendent for  
43 Education to oversee the business of the other two newly created Divisions.

44 **Section 5** of this bill requires the Department to adopt a model to measure and  
45 track the achievement and progress of pupils in this State and prescribes the  
46 requirements for that system.

47 Existing law authorizes a pupil who fails the high school proficiency  
48 examination to obtain a standard high school diploma if he: (1) fails the  
49 examination in its entirety not less than three times but passes the reading and  
50 mathematics portions of the examination; (2) has a 2.75 grade point average; (3)  
51 satisfies alternative criteria established by the State Board; and (4) otherwise  
52 satisfies the requirements to graduate high school. (NRS 389.805) **Section 43** of  
53 this bill allows a pupil to obtain a standard high school diploma if he fails the high  
54 school proficiency examination if he: (1) passes any two subject areas on the high  
55 school proficiency examination; (2) has a 2.0 grade point average; (3) satisfies  
56 alternative criteria established by the State Board; and (4) otherwise satisfies the  
57 requirements to graduate from high school.

58 **Section 47** of this bill requires the Department to establish a program of  
59 performance pay for voluntary participation by educational personnel and other  
60 school personnel and prescribes the requirements for determining eligibility for  
61 receipt of the enhanced compensation. Existing law prescribes certain requirements  
62 concerning the salaries of teachers. (NRS 391.160) **Section 58** of this bill requires  
63 the board of trustees of each school district to adjust the schedule of salaries to  
64 ensure that the starting salary of each licensed teacher who is initially hired on or  
65 after July 1, 2010, is at least \$40,000 annually.

66 **Section 70** of this bill creates the Commission to Oversee Educational Reform  
67 to monitor and report on the progress and effectiveness of the changes and  
68 reformations required by this bill.

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1 WHEREAS, The Nevada Constitution requires the Legislature to  
2 provide for a system of public education in this State; and

3 WHEREAS, The pupils in this State are entitled to receive a  
4 world-class education which will ensure year-to-year progress and



1 which will adequately prepare those pupils to enter postsecondary  
2 education and the workforce; and

3 WHEREAS, By enacting the Initiative for a World-Class  
4 Education in Nevada, the Legislature will ensure that each pupil  
5 receives an education that prepares him for higher education, a  
6 career and a lifetime of future success; and

7 WHEREAS, The Initiative for a World-Class Education in  
8 Nevada provides for systematic change to the educational structure  
9 of this State to facilitate progress toward attaining statewide goals  
10 and meeting measurable objectives to ensure the future success of  
11 the pupils enrolled in public schools in this State; and

12 WHEREAS, The future of this State is of the utmost importance  
13 to the members of the 75th Session of the Nevada Legislature, and  
14 educating pupils is vital to securing that future; now, therefore,  
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16  
17 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
18 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
19

20 **Section 1.** Chapter 385 of NRS is hereby amended by adding  
21 thereto the provisions set forth as sections 2 to 5, inclusive, of this  
22 act.

23 **Sec. 2.** *There is hereby created within the Department the:*

24 *1. Division of Assessment and Accountability;*

25 *2. Division of Curriculum and Instruction;*

26 *3. Division of Operations, Fiscal Services and Technology;*  
27 *and*

28 *4. Division of Innovation, Research and Professional*  
29 *Development.*

30 **Sec. 3. 1.** *The State Superintendent for Education shall*  
31 *direct the business of the Division of Assessment and*  
32 *Accountability.*

33 *2. The Division of Assessment and Accountability may*  
34 *perform any duty required by the State Superintendent for*  
35 *Education and shall do such work as the State Superintendent*  
36 *may direct under the laws of the State.*

37 **Sec. 4. 1.** *The State Superintendent for Education shall*  
38 *direct the business of the Division of Innovation, Research and*  
39 *Professional Development.*

40 *2. The Division of Innovation, Research and Professional*  
41 *Development may perform any duty required by the State*  
42 *Superintendent for Education and shall do such work as the State*  
43 *Superintendent may direct under the laws of the State.*

44 **Sec. 5. 1.** *The Department shall adopt a model to measure*  
45 *and track from year to year the achievement and progress made by*



1 *each pupil, each group of pupils identified in paragraph (b) of*  
2 *subsection 1 of NRS 385.361, each public school, including,*  
3 *without limitation, each charter school, each school district and*  
4 *the State as a whole.*

5 2. *The Department shall identify the measures of progress for*  
6 *inclusion in the model which must include, without limitation, the*  
7 *results of pupils on the examinations administered pursuant to*  
8 *NRS 389.550 and the results of pupils on the high school*  
9 *proficiency examination administered pursuant to NRS 389.015.*  
10 *The model must include other measures of progress identified by*  
11 *the Department, including, without limitation, graduation and*  
12 *attendance rates.*

13 3. *The model must be designed in a manner which allows the*  
14 *Department to:*

15 (a) *Identify each program for which a grant of money is made*  
16 *from the Account for Programs for Innovation and the Prevention*  
17 *of Remediation or otherwise provided through the State and which*  
18 *is being used by a public school; and*

19 (b) *Determine, through results of evaluations, the programs*  
20 *which are used by public schools and which are making*  
21 *improvements in the achievement and progress of pupils and the*  
22 *programs which are used by public schools and which are not*  
23 *making the same level of improvements.*

24 4. *The Department may contract with a qualified and*  
25 *independent consultant to assist the Department in the*  
26 *development and maintenance of the model.*

27 **Sec. 6.** NRS 385.010 is hereby amended to read as follows:

28 385.010 1. A Department of Education is hereby created.

29 2. The Department consists of the State Board of Education,  
30 the State Board for Career and Technical Education and the *State*  
31 *Superintendent* ~~[of Public Instruction.]~~ *for Education.*

32 3. The *State* Superintendent ~~[of Public Instruction]~~ *for*  
33 *Education, who is the chief educational officer for the State,* is the  
34 executive head of the Department.

35 **Sec. 7.** NRS 385.014 is hereby amended to read as follows:

36 385.014 When required, the Attorney General shall give his  
37 opinion in writing and without fee to the State Board ~~[.]~~ *and* the  
38 *State* Superintendent ~~[of Public Instruction and the Commission on~~  
39 ~~Professional Standards in]~~ *for* Education on matters relating to the  
40 powers and duties of the Department.

41 **Sec. 8.** NRS 385.021 is hereby amended to read as follows:

42 385.021 1. The State Board consists of ~~[10 members]~~ :

43 (a) *One member* elected by the registered voters within ~~[the~~  
44 ~~districts]~~ *each congressional district* described in NRS ~~[385.0225 to~~  
45 ~~385.0265.]~~ *304.060 to 304.120,* inclusive ~~[.]~~ ;



- 1       ***(b) One member appointed by the Governor;***  
2       ***(c) One member appointed by the Majority Leader of the***  
3 ***Senate, who must not be a Legislator;***  
4       ***(d) One member appointed by the Speaker of the Assembly,***  
5 ***who must not be a Legislator; and***  
6       ***(e) One nonvoting member appointed by the Board of Regents***  
7 ***of the University of Nevada.***

8       2. Each member of the State Board :

9       ***(a) Elected pursuant to paragraph (a) of subsection 1*** must be  
10 a resident of the district from which that member is elected.

11 ~~***[3. At the general election in 2002, and every 4 years***~~  
12 ~~***thereafter, one member of the State Board must be elected for a term***~~  
13 ~~***of 4 years from Districts Numbers 2, 5, 6 and 10.***~~

14 ~~***— 4. At the general election in 2004, and every 4 years thereafter,***~~  
15 ~~***one member of the State Board must be elected for a term of 4 years***~~  
16 ~~***from Districts Numbers 1, 3, 4, 7, 8 and 9.***~~

17 ~~***— 5.] (b) Appointed pursuant to paragraph (b), (c) or (d) of***~~  
18 ~~***subsection 1 must have experience in prekindergarten,***~~  
19 ~~***elementary, secondary or postsecondary education, be a resident***~~  
20 ~~***of this State and:***~~

21       ***(1) Have experience in public policy or public***  
22 ***administration; or***

23       ***(2) Be active in the business community or industry of this***  
24 ***State.***

25       ***↳ To the extent practicable, those members must be appointed***  
26 ***from lists of nominations provided by associations and***  
27 ***organizations in this State which are concerned with issues***  
28 ***relating to public education, including, without limitation,***  
29 ***associations representing educational personnel.***

30       ***(c) Appointed pursuant to paragraph (e) of subsection 1 must***  
31 ***have experience in postsecondary education and be a resident of***  
32 ***this State.***

33       3. ***After the initial terms, each member serves a term of 4***  
34 ***years.***

35       4. If a vacancy occurs on the State Board ~~***[ ]***~~ ***during the term of***  
36 ***a member who was:***

37       ***(a) Elected pursuant to paragraph (a) of subsection 1,*** the  
38 Governor shall appoint a member to fill the vacancy until the next  
39 general election, at which election a member must be chosen for the  
40 balance of the unexpired term. The appointee must be a resident of  
41 the district where the vacancy occurs.

42       ***(b) Appointed pursuant to paragraph (b), (c), (d) or (e) of***  
43 ***subsection 1, the vacancy must be filled in the manner of the***  
44 ***original appointment.***



1 ~~[6.]~~ 5. No member of the State Board may ~~[be elected to the~~  
2 ~~office]~~ *serve* more than three ~~[times.]~~ *terms of office.*

3 **Sec. 9.** NRS 385.075 is hereby amended to read as follows:

4 385.075 The State Board shall ~~[establish policies]~~ :

5 *1. Establish policies* to govern the administration of all  
6 functions of the State relating to *the* supervision, management and  
7 control of public schools not conferred by law on some other  
8 agency.

9 *2. Establish clearly defined goals and benchmarks for*  
10 *improving the achievement of pupils in this State, including,*  
11 *without limitation, goals for:*

12 *(a) Improving proficiency results in core academic subject*  
13 *areas;*

14 *(b) Increasing the number of pupils enrolled in middle schools*  
15 *and junior high schools in this State who enter high school with*  
16 *the skills necessary to succeed in high school;*

17 *(c) Improving the percentage of pupils who enroll in grade 9*  
18 *in this State and who complete high school and obtain a standard*  
19 *diploma upon completion;*

20 *(d) Improving the performance of pupils in this State on*  
21 *standardized college entrance examinations;*

22 *(e) Increasing the percentage of pupils enrolled in high*  
23 *schools in this State who enter postsecondary educational*  
24 *institutions; and*

25 *(f) Reengaging disengaged youth who have dropped out of*  
26 *high school or who are at risk of dropping out of high school,*  
27 *including, without limitation, a mechanism for tracking and*  
28 *maintaining communication with those youth who have dropped*  
29 *out or who are at risk of doing so.*

30 *3. Establish a mechanism to measure the progress made*  
31 *toward meeting statewide educational goals, including, without*  
32 *limitation:*

33 *(a) Establishing measurable outcomes for the achievement of*  
34 *school districts;*

35 *(b) Developing a system to track progress toward those*  
36 *measurable objectives, including data on the results of pupils on*  
37 *the examinations administered pursuant to NRS 389.550 and the*  
38 *high school proficiency examination; and*

39 *(c) Improving the capacity and maintenance of the automated*  
40 *system of accountability information for Nevada established*  
41 *pursuant to NRS 386.650.*

42 *4. Collaborate with the Department and the Nevada System of*  
43 *Higher Education to:*

44 *(a) Align the academic standards and curriculum developed*  
45 *for pupils enrolled in elementary and secondary education with*



1 *the academic standards and curriculum developed for students*  
2 *enrolled in postsecondary educational institutions in this State;*  
3 *and*

4 *(b) Provide professional development and training through the*  
5 *Nevada System of Higher Education to assist the Department in*  
6 *ensuring that educational personnel are properly trained and that*  
7 *educational personnel are exposed to various classroom*  
8 *methodologies.*

9 **Sec. 10.** NRS 385.110 is hereby amended to read as follows:

10 385.110 1. Except as otherwise provided in subsections 2 and  
11 3, the State Board shall prescribe and cause to be enforced the  
12 courses of study for the public schools of this State. The courses of  
13 study prescribed and enforced by the State Board must comply with  
14 the standards of content and performance established by the  
15 ~~[(Council to Establish Academic Standards for Public Schools)]~~ *State*  
16 *Board* pursuant to NRS 389.520.

17 2. For those courses of study prescribed by the State Board:

18 (a) High schools may have modified courses of study, subject to  
19 the approval of the State Board; and

20 (b) Any high school offering courses normally accredited as  
21 being beyond the level of the 12th grade shall, before offering such  
22 courses, have them approved by the State Board.

23 3. A charter school is not required to offer the courses of study  
24 prescribed by the State Board except for those courses of study  
25 which are required for promotion to the next grade or graduation  
26 from high school.

27 **Sec. 11.** NRS 385.150 is hereby amended to read as follows:

28 385.150 1. The ~~[(State Board)]~~ *Governor* shall *nominate and,*  
29 *upon confirmation in accordance with subsection 3,* appoint the  
30 *State Superintendent* ~~[(of Public Instruction)]~~ *for Education* for a  
31 term of ~~[(3)]~~ *2* years ~~[(-)]~~ *commencing on July 1 of odd-numbered*  
32 *years.* The ~~[(State Board)]~~ *Governor* may remove the Superintendent  
33 ~~[(of Public Instruction)]~~ from office for inefficiency, neglect of duty,  
34 malfeasance in office or for other just cause. *The State Board may*  
35 *provide to the Governor a list of not less than three names of*  
36 *persons that the State Board determines are qualified for*  
37 *appointment as State Superintendent for Education. The Governor*  
38 *shall, to the extent practicable, nominate the State Superintendent*  
39 *for Education from the list of names provided by the State Board.*

40 2. A vacancy must be filled by the ~~[(State Board)]~~ *Governor*  
41 *nominating and, upon confirmation in accordance with subsection*  
42 *3, appointed* for the remainder of the unexpired term.

43 3. *On or before February 1 of each odd-numbered year, the*  
44 *Governor shall provide to the Director of the Legislative Counsel*  
45 *Bureau, for transmission to the Senate, the name of the person*



1 *nominated as the State Superintendent for Education. The Senate*  
2 *shall, within the first 45 days of the next regularly scheduled*  
3 *session of the Legislature, consider the nominee and confirm or*  
4 *deny the nomination. If the Senate denies a nomination, the*  
5 *Governor may nominate another person as the State*  
6 *Superintendent for Education and immediately transmit the name*  
7 *to the Senate. The Senate shall, within 30 days after receiving*  
8 *each subsequent nomination, consider the nominee and confirm*  
9 *or deny the nomination. If the position of State Superintendent for*  
10 *Education is not filled during the regular session of the*  
11 *Legislature or becomes vacant while the Legislature is not in*  
12 *session, the Legislative Commission shall, within 30 days after*  
13 *receiving a nomination from the Governor, consider the nominee*  
14 *and confirm or deny the nomination. The Governor may not*  
15 *nominate as State Superintendent for Education a person who has*  
16 *been previously denied by either the Senate or the Legislative*  
17 *Commission.*

18 4. The *State Superintendent* ~~[of Public Instruction]~~ *for*  
19 *Education* is in the unclassified service of the State.

20 **Sec. 12.** NRS 385.170 is hereby amended to read as follows:

21 385.170 The *State Superintendent for Education* shall not  
22 pursue any other business or occupation or hold any other office of  
23 profit. ~~[without the approval of the State Board of Education.]~~

24 **Sec. 13.** NRS 385.175 is hereby amended to read as follows:

25 385.175 The *State Superintendent* ~~[of Public Instruction]~~ *for*  
26 *Education* shall:

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

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

32 3. Organize the Department in a manner *consistent with*  
33 *section 2 of this act*, which will assure efficient operation and  
34 service.

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

37 5. Perform such other duties as are prescribed by law.

38 **Sec. 14.** NRS 385.190 is hereby amended to read as follows:

39 385.190 1. The *State Superintendent* ~~[of Public Instruction]~~  
40 *for Education, in consultation with the Division of Innovation,*  
41 *Research and Professional Development* or a staff member  
42 designated by ~~[him]~~ *the State Superintendent*, shall:

43 (a) Convene teachers' conferences in the various sections of the  
44 State in such places and at such times as he deems advisable.





1 (b) Engage such conference lecturers and leaders as he deems  
2 advisable.

3 (c) Preside over and regulate the programs of all teachers'  
4 conferences.

5 2. No teachers' conference may continue more than 5 days.

6 3. The *State* Superintendent ~~[of Public Instruction]~~ *for*  
7 *Education, in consultation with the Division of Innovation,*  
8 *Research and Professional Development* or ~~[his designated]~~ a staff  
9 member *designated by the State Superintendent*, shall convene, in  
10 such places and at such times as he may designate, conferences of  
11 school administrators.

12 4. The expenses of holding teachers' and administrators'  
13 conferences must be paid from the State Distributive School  
14 Account in the State General Fund, but the amount must not exceed  
15 \$8,400 in any one biennium. The State Controller shall draw his  
16 warrants for such expenses upon the order of the *State*  
17 Superintendent ~~[of Public Instruction.]~~ *for Education.*

18 **Sec. 15.** NRS 385.290 is hereby amended to read as follows:

19 385.290 1. The *State* Superintendent ~~[of Public Instruction]~~  
20 *for Education* may appoint a Deputy Superintendent of  
21 ~~[Instructional, Research and Evaluative Services]~~ *the Division of*  
22 *Curriculum and Instruction* who:

23 (a) Holds a master's degree in school administration or a related  
24 subject from an accredited college or university.

25 (b) Has a minimum of 3 years of administrative experience  
26 which includes:

- 27 (1) Supervision and evaluation of staff;  
28 (2) Development and administration of budgets; and  
29 (3) Development of curriculum.

30 2. The Deputy Superintendent of ~~[Instructional, Research and~~  
31 ~~Evaluative Services]~~ *the Division of Curriculum and Instruction*  
32 may perform any duty required of the *State* Superintendent ~~[of~~  
33 ~~Public Instruction]~~ *for Education* during the absence of the *State*  
34 Superintendent and shall do such work as the *State* Superintendent  
35 may direct under the laws of the State.

36 **Sec. 16.** NRS 385.300 is hereby amended to read as follows:

37 385.300 1. The *State* Superintendent ~~[of Public Instruction]~~  
38 *for Education* may appoint a Deputy Superintendent ~~[for~~  
39 ~~Administrative and]~~ *of the Division of Operations, Fiscal Services*  
40 ~~[and Technology.~~

41 2. The Deputy Superintendent ~~[for Administrative and]~~ *of the*  
42 *Division of Operations, Fiscal Services and Technology* must:

43 (a) Be a graduate of a 4-year accredited college or university.

44 (b) Have familiarity with the field of education, as evidenced by:



1 (1) Sufficient college credits in education to qualify for a  
2 license to teach in a high school in this state; or

3 (2) Participation in recognized educational research and  
4 study.

5 (c) Have familiarity with the general field of public  
6 administration and budgeting, as evidenced by:

7 (1) Sufficient college credits to qualify for a minor in public  
8 administration, government management or business management;  
9 or

10 (2) Experience in the preparation of governmental budgets or  
11 in governmental accounting or research.

12 3. No person may be appointed to the position of Deputy  
13 Superintendent ~~{for Administrative and}~~ *of the Division of*  
14 *Operations, Fiscal Services and Technology* unless he has the  
15 qualifications outlined in subsection 2.

16 **Sec. 17.** NRS 385.310 is hereby amended to read as follows:

17 385.310 The Deputy Superintendent ~~{for Administrative and}~~  
18 *of the Division of Operations, Fiscal Services* ~~{,}~~ *and Technology,*  
19 under the direction of the *State* Superintendent ~~{of Public~~  
20 ~~Instruction,}~~ *for Education,* shall:

21 1. Determine the apportionment of all state school money to  
22 schools of the State as prescribed by law.

23 2. Develop for public schools of the State a uniform system of  
24 budgeting and accounting. The system must provide for the separate  
25 reporting of expenditures for each:

26 (a) School district; and

27 (b) School within a school district.

28 ↪ Upon approval of the State Board, the system is mandatory for all  
29 public schools in this State and must be enforced as provided in  
30 subsection 2 of NRS 385.315.

31 3. Carry on a continuing study of school finance in the State,  
32 particularly the method by which schools are financed on the state  
33 level, and make such recommendations to the *State* Superintendent  
34 ~~{of Public Instruction}~~ *for Education* for submission to the State  
35 Board as he deems advisable.

36 4. Recommend to the *State* Superintendent ~~{of Public~~  
37 ~~Instruction}~~ *for Education* for submission to the State Board such  
38 changes in budgetary and financial procedures as his studies may  
39 show to be advisable.

40 5. Perform such other statistical and financial duties pertaining  
41 to the administration and finances of the schools of the State as may  
42 be required by the *State* Superintendent ~~{of Public Instruction,}~~ *for*  
43 *Education.*



1 6. Prepare for the *State* Superintendent ~~[of Public Instruction]~~  
2 *for Education* the biennial budgets of the Department for  
3 consideration by the State Board and submission to the Governor.

4 **Sec. 18.** NRS 385.315 is hereby amended to read as follows:

5 385.315 In addition to his other duties, the Deputy  
6 Superintendent ~~[for Administrative and]~~ *of the Division of*  
7 *Operations, Fiscal Services [,] and Technology,* under the direction  
8 of the *State* Superintendent ~~[of Public Instruction,] for Education,~~  
9 shall:

10 1. Investigate any claim against any school fund or separate  
11 account established under NRS 354.603 whenever a written protest  
12 against the drawing of a warrant, check or order in payment of the  
13 claim is filed with the county auditor. If, upon investigation, the  
14 Deputy Superintendent finds that any such claim is unearned, illegal  
15 or unreasonably excessive, he shall notify the county auditor and the  
16 clerk of the board of trustees who drew the order for the claim,  
17 stating the reasons in writing why the order is unearned, illegal or  
18 excessive. If so notified, the county auditor shall not draw his  
19 warrant in payment of the claim nor shall the board of trustees draw  
20 a check or order in payment of the claim from a separate account  
21 established under NRS 354.603. If the Deputy Superintendent finds  
22 that any protested claim is legal and actually due the claimant, he  
23 shall authorize the county auditor or the board of trustees to draw  
24 his warrant or its check or order on an account established under  
25 NRS 354.603 for the claim, and the county auditor or the board of  
26 trustees shall immediately draw his warrant or its check or order in  
27 payment of the claim.

28 2. Inspect *and, if he determines necessary, audit* the record  
29 books and accounts of boards of trustees, and enforce the uniform  
30 method of keeping the financial records and accounts of school  
31 districts.

32 3. Inspect *and, if he determines necessary, audit* the school  
33 fund accounts of the county auditors of the several counties, and  
34 report the condition of the funds of any school district to the board  
35 of trustees thereof.

36 4. Inspect *and, if he determines necessary, audit* the separate  
37 accounts established by boards of trustees under NRS 354.603, and  
38 report the condition of the accounts to the respective boards of  
39 county commissioners and county treasurers.

40 **Sec. 19.** NRS 385.320 is hereby amended to read as follows:

41 385.320 The Deputy Superintendent of ~~[Instructional, Research~~  
42 ~~and Evaluative Services and the Deputy Superintendent for~~  
43 ~~Administrative and Fiscal Services:]~~ *each Division:*

44 1. ~~[Are]~~ *Is* in the unclassified service of the State.



1 2. Except as otherwise provided in NRS 284.143, shall ~~teach~~  
2 devote his entire time and attention to the business of his office and  
3 shall not pursue any other business or occupation or hold any other  
4 office of profit.

5 **Sec. 20.** NRS 385.330 is hereby amended to read as follows:

6 385.330 1. Professional staff and other personnel appointed  
7 by the *State* Superintendent ~~[of Public Instruction]~~ *for Education*  
8 shall perform such duties as are assigned by the *State*  
9 Superintendent.

10 2. The *State* Superintendent ~~[of Public Instruction,]~~ *for*  
11 *Education*, under the policies of the State Board, shall locate the  
12 offices of professional staff and other personnel ~~[where]~~ :

13 (a) *Where* the needs of the education program can best be  
14 served ~~[ ]~~; and

15 (b) *To reflect the geographic diversity of this State.*

16 **Sec. 21.** NRS 385.34691 is hereby amended to read as  
17 follows:

18 385.34691 1. The State Board shall prepare a plan to improve  
19 the achievement of pupils enrolled in the public schools in this  
20 State. The plan:

21 (a) Must be prepared in consultation with:

22 (1) Employees of the Department;

23 (2) At least one employee of a school district in a county  
24 whose population is 100,000 or more, appointed by the Nevada  
25 Association of School Boards;

26 (3) At least one employee of a school district in a county  
27 whose population is less than 100,000, appointed by the Nevada  
28 Association of School Boards; ~~and~~

29 (4) At least one representative of ~~[the Statewide Council for~~  
30 ~~the Coordination of the Regional Training Programs created by NRS~~  
31 ~~391.516,]~~ *a regional training program for the professional*  
32 *development of teachers and administrators created pursuant to*  
33 *NRS 391.512*, appointed by the ~~[Council;]~~ *State Board*; and

34 (5) *A representative from the Nevada Youth Legislative*  
35 *Issues Forum created by NRS 385.515, appointed by the*  
36 *Chairman of the Forum.*

37 (b) Must be prepared in consultation with:

38 (1) Representatives of ~~[institutions of higher education;]~~ *the*  
39 *colleges of education in the Nevada System of Higher Education;*

40 (2) Representatives of regional educational laboratories;

41 (3) Representatives of outside consultant groups;

42 (4) ~~[Representatives of the regional training programs for the~~  
43 ~~professional development of teachers and administrators created by~~  
44 ~~NRS 391.512;~~

45 ~~— (5) ]~~ The Bureau; and



1 ~~(6)~~ (5) Other persons who the State Board determines are  
2 appropriate.

3 2. A plan to improve the achievement of pupils enrolled in  
4 public schools in this State must include:

5 (a) A review and analysis of the data upon which the report  
6 required pursuant to NRS 385.3469 is based and a review and  
7 analysis of any data that is more recent than the data upon which the  
8 report is based.

9 (b) The identification of any problems or factors common  
10 among the school districts or charter schools in this State, as  
11 revealed by the review and analysis.

12 (c) Strategies based upon scientifically based research, as  
13 defined in 20 U.S.C. § 7801(37), that will strengthen the core  
14 academic subjects, as set forth in NRS 389.018.

15 (d) Strategies to improve the academic achievement of pupils  
16 enrolled in public schools in this State, including, without limitation,  
17 strategies to:

18 (1) Instruct pupils who are not achieving to their fullest  
19 potential, including, without limitation:

20 (I) The curriculum appropriate to improve achievement;

21 (II) The manner by which the instruction will improve the  
22 achievement and proficiency of pupils on the examinations  
23 administered pursuant to NRS 389.015 and 389.550; and

24 (III) An identification of the instruction and curriculum  
25 that is specifically designed to improve the achievement and  
26 proficiency of pupils in each group identified in paragraph (b) of  
27 subsection 1 of NRS 385.361;

28 (2) Increase the rate of attendance of pupils, *improve the*  
29 *percentage of pupils who graduate with a high school diploma* and  
30 reduce the number of pupils who drop out of school;

31 (3) Integrate technology into the instructional and  
32 administrative programs of the school districts;

33 (4) Manage effectively the discipline of pupils; and

34 (5) Enhance the professional development offered for the  
35 teachers and administrators employed at public schools in this State  
36 to include the activities set forth in 20 U.S.C. § 7801(34) and to  
37 address the specific needs of the pupils enrolled in public schools in  
38 this State, as deemed appropriate by the State Board.

39 (e) Strategies designed to provide to the pupils enrolled in  
40 middle school, junior high school and high school, the teachers and  
41 counselors who provide instruction to those pupils, and the parents  
42 and guardians of those pupils information concerning:

43 (1) *The availability of programs of career and technical*  
44 *education in public schools in this State;*



1 (2) The requirements for admission to an institution of  
2 ~~higher~~ *postsecondary* education and the opportunities for financial  
3 aid;

4 ~~(2)~~ (3) The availability of Governor Guinn Millennium  
5 Scholarships pursuant to NRS 396.911 to 396.938, inclusive; and

6 ~~(3)~~ (4) The need for a pupil to make informed decisions  
7 about his curriculum in middle school, junior high school and high  
8 school in preparation for success after graduation.

9 (f) An identification ~~[, by category.]~~ of the employees of the  
10 Department who are responsible for ensuring that each provision of the  
11 plan is carried out effectively ~~[.]~~, *including, without limitation,*  
12 *a description of the duties of those employees relating to the*  
13 *achievement of pupils and the support of the success of pupils in*  
14 *the classroom.*

15 (g) ~~[For]~~ *A timeline for carrying out the plan, including*  
16 *benchmarks that indicate the rate of improvement which must be*  
17 *attained annually and, for* each provision of the plan, a timeline for  
18 carrying out that provision, including, without limitation, a timeline  
19 for monitoring whether the provision is carried out effectively.

20 (h) For each provision of the plan, measurable criteria for  
21 determining whether the provision has contributed toward  
22 improving the academic achievement of pupils, increasing the rate  
23 of attendance of pupils, *improving the rate of pupils who graduate*  
24 *with a high school diploma* and reducing the number of pupils who  
25 drop out of school.

26 (i) Strategies to improve the allocation of resources from this  
27 State, by program and by school district, in a manner that will  
28 improve the academic achievement of pupils. If this State has a  
29 financial analysis program that is designed to track educational  
30 expenditures and revenues to individual schools, the State Board  
31 shall use that statewide program in complying with this paragraph.  
32 If a statewide program is not available, the State Board shall use the  
33 Department's own financial analysis program in complying with  
34 this paragraph.

35 (j) Based upon the reallocation of resources set forth in  
36 paragraph (i), the resources available to the State Board and the  
37 Department to carry out the plan, including, without limitation, a  
38 budget for the overall cost of carrying out the plan.

39 (k) A summary of the effectiveness of appropriations made by  
40 the Legislature to improve the academic achievement of pupils and  
41 programs approved by the Legislature to improve the academic  
42 achievement of pupils.

43 (l) *Strategies to increase the percentage of classes that are*  
44 *taught by highly qualified teachers in low-poverty schools.*

45 3. The State Board shall:



1 (a) Review the plan prepared pursuant to this section annually to  
2 evaluate the effectiveness of the plan; ~~and~~

3 (b) *Examine the timeline for implementing the plan and the*  
4 *timeline for implementing each provision of the plan to determine*  
5 *whether the annual benchmarks have been attained;*

6 (c) Based upon the evaluation of the plan, make revisions, as  
7 necessary, to ensure that ~~the~~ :

8 (1) *The benchmarks set forth in the plan are being attained*  
9 *in a timely manner; and*

10 (2) *The* plan is designed to improve the academic  
11 achievement of pupils enrolled in public schools in this State.

12 4. On or before December 15 of each year, the State Board  
13 shall submit the plan or the revised plan, as applicable, to the:

14 (a) Governor;

15 (b) Committee;

16 (c) Bureau;

17 (d) Board of Regents of the University of Nevada;

18 (e) ~~Council to Establish Academic Standards for Public Schools~~  
19 ~~created by NRS 389.510;~~

20 ~~(f)~~ Board of trustees of each school district; and

21 ~~(g)~~ (f) Governing body of each charter school.

22 **Sec. 22.** NRS 385.3782 is hereby amended to read as follows:

23 385.3782 *As used in NRS 385.3782 to 385.379, inclusive,*  
24 *unless the context otherwise requires,* "Account" means the  
25 Account for Programs for Innovation and the Prevention of  
26 Remediation created by NRS 385.379.

27 **Sec. 23.** NRS 385.3785 is hereby amended to read as follows:

28 385.3785 1. The ~~Commission~~ *State Board* shall:

29 (a) Establish a program of educational excellence designed  
30 exclusively for pupils enrolled in kindergarten through grade 6 in  
31 public schools in this State based upon:

32 (1) The plan to improve the achievement of pupils prepared  
33 by the State Board pursuant to NRS 385.34691;

34 (2) The plan to improve the achievement of pupils prepared  
35 by the board of trustees of each school district pursuant to  
36 NRS 385.348;

37 (3) The plan to improve the achievement of pupils prepared  
38 by the principal of each school pursuant to NRS 385.357, which  
39 may include a program of innovation; and

40 (4) Any other information that the ~~Commission~~ *State*  
41 *Board* considers relevant to the development of the program of  
42 educational excellence.

43 (b) Identify programs, practices and strategies that have proven  
44 effective in improving the academic achievement and proficiency of  
45 pupils.





1 (c) Develop a concise application and simple procedures for the  
2 submission of applications by public schools and consortiums of  
3 public schools, including, without limitation, charter schools, for  
4 participation in a program of educational excellence and for grants  
5 of money from the Account. Grants of money must be made for  
6 programs designed for the achievement of pupils that are linked to  
7 the plan to improve the achievement of pupils or for innovative  
8 programs, or both. The ~~[Commission]~~ *State Board* shall not award a  
9 grant of money from the Account for a program to provide full-day  
10 kindergarten. All public schools and consortiums of public schools,  
11 including, without limitation, charter schools, are eligible to submit  
12 such an application, regardless of whether the schools have made  
13 adequate yearly progress or failed to make adequate yearly progress.  
14 A public school or a consortium of public schools selected for  
15 participation may be approved by the ~~[Commission]~~ *State Board* for  
16 participation for a period not to exceed 2 years, but may reapply.

17 (d) Prescribe a long-range timeline for the review, approval and  
18 evaluation of applications received from public schools and  
19 consortiums of public schools that desire to participate in the  
20 program.

21 (e) Establish guidelines for the review, evaluation and approval  
22 of applications for grants of money from the Account, including,  
23 without limitation, consideration of the list of priorities of public  
24 schools provided by the Department pursuant to subsection 5. To  
25 ensure consistency in the review, evaluation and approval of  
26 applications, if the guidelines authorize the review and evaluation of  
27 applications by less than the entire membership of the  
28 ~~[Commission,]~~ *State Board or by an advisory committee appointed*  
29 *pursuant to subsection 9*, money must not be allocated from the  
30 Account for a grant until the entire membership of  
31 the ~~[Commission]~~ *State Board* has reviewed and approved the  
32 application for the grant.

33 (f) Prescribe accountability measures to be carried out by a  
34 public school that participates in the program if that public school  
35 does not meet the annual measurable objectives established by the  
36 State Board pursuant to NRS 385.361, including, without limitation:

37 (1) The specific levels of achievement expected of schools  
38 that participate; and

39 (2) Conditions for schools that do not meet the grant criteria  
40 but desire to continue participation in the program and receive  
41 money from the Account, including, without limitation, a review of  
42 the leadership at the school and recommendations regarding changes  
43 to the appropriate body.





1 (g) Determine the amount of money that is available from the  
2 Account for those public schools and consortiums of public schools  
3 that are selected to participate in the program.

4 (h) Allocate money to public schools and consortiums of public  
5 schools from the Account. Allocations must be distributed not later  
6 than August 15 of each year.

7 (i) Establish criteria for public schools and consortiums of  
8 public schools that participate in the program and receive an  
9 allocation of money from the Account to evaluate the effectiveness  
10 of the allocation in improving the achievement of pupils, including,  
11 without limitation, a detailed analysis of:

12 (1) The achievement of pupils enrolled at each school that  
13 received money from the allocation based upon measurable criteria  
14 identified in the plan to improve the achievement of pupils for the  
15 school prepared pursuant to NRS 385.357;

16 (2) If applicable, the effectiveness of the program of  
17 innovation on the achievement of pupils and the overall  
18 effectiveness for pupils and staff;

19 (3) The implementation of the applicable plans for  
20 improvement, including, without limitation, an analysis of whether  
21 the school is meeting the measurable objectives identified in the  
22 plan; and

23 (4) The attainment of measurable progress on the annual list  
24 of adequate yearly progress of school districts and schools.

25 2. To the extent money is available, the **[Commission] State**  
26 **Board** shall make allocations of money to public schools and  
27 consortiums of public schools for effective programs for grades 7  
28 through 12 that are designed to improve the achievement of pupils  
29 and effective programs of innovation for pupils. In making such  
30 allocations, the **[Commission] State Board** shall comply with the  
31 requirements of subsection 1.

32 3. The **[Commission] State Board** shall ensure, to the extent  
33 practicable, that grants of money provided pursuant to this section  
34 reflect the economic and geographic diversity of this State.

35 4. If a public school or consortium that receives money  
36 pursuant to subsection 1 or 2:

37 (a) Does not meet the criteria for effectiveness as prescribed in  
38 paragraph (i) of subsection 1;

39 (b) Does not, as a result of the program for which the grant of  
40 money was awarded, show improvement in the achievement of  
41 pupils, as determined in an evaluation conducted pursuant to  
42 subsection 3 of NRS 385.379; or

43 (c) Does not implement the program for which the money was  
44 received, as determined in an evaluation conducted pursuant to  
45 subsection 3 of NRS 385.379,



1   ↳ over a 2-year period, the ~~{Commission}~~ *State Board* may  
2 consider not awarding future allocations of money to that public  
3 school or consortium of public schools.

4       5. On or before July 1 of each year, the Department shall  
5 provide a list of priorities of public schools that indicates:

6       (a) The adequate yearly progress status of schools in the  
7 immediately preceding year; ~~{and}~~

8       (b) The public schools that are considered Title I eligible by the  
9 Department based upon the poverty level of the pupils enrolled in a  
10 school in comparison to the poverty level of the pupils in the school  
11 district as a whole ~~{,}~~; *and*

12       (c) *The status of the public schools in achieving the goals and*  
13 *measurable outcomes prescribed by the State Board pursuant to*  
14 *NRS 385.075,*

15   ↳ for consideration by the ~~{Commission}~~ *State Board* in its  
16 development of procedures for the applications.

17       6. A public school, including, without limitation, a charter  
18 school, or a consortium of public schools may request assistance  
19 from the school district in which the school is located in preparing  
20 an application for a grant of money pursuant to this section. A  
21 school district shall assist each public school or consortium of  
22 public schools that requests assistance pursuant to this subsection to  
23 ensure that the application of the school:

24       (a) Is based directly upon the plan to improve the achievement  
25 of pupils prepared for the school pursuant to NRS 385.357;

26       (b) Is developed in accordance with the criteria established by  
27 the ~~{Commission,}~~ *State Board;* and

28       (c) Is complete and complies with all technical requirements for  
29 the submission of an application.

30   ↳ A school district may make recommendations to the individual  
31 schools and consortiums of public schools. Such schools and  
32 consortiums of public schools are not required to follow the  
33 recommendations of a school district.

34       7. In carrying out the requirements of this section, the  
35 ~~{Commission}~~ *State Board* shall review and consider the programs  
36 of remedial study adopted by the Department pursuant to NRS  
37 385.389, the list of approved providers of supplemental services  
38 maintained by the Department pursuant to NRS 385.384 and the  
39 recommendations submitted by the Committee pursuant to NRS  
40 218.5354 concerning programs, practices and strategies that have  
41 proven effective in improving the academic achievement and  
42 proficiency of pupils.

43       8. If a consortium of public schools is formed for the purpose  
44 of submitting an application pursuant to this section, the public



1 schools within the consortium do not need to be located within the  
2 same school district.

3 *9. The State Board may appoint an advisory committee*  
4 *composed of six members who are qualified and who represent the*  
5 *ethnic and geographic diversity of the State to carry out*  
6 *the provisions of this section. The advisory committee serves at the*  
7 *pleasure of the State Board and without compensation unless an*  
8 *appropriation or other money for that purpose is provided by the*  
9 *Legislature.*

10 **Sec. 24.** NRS 385.3787 is hereby amended to read as follows:

11 385.3787 1. A public school or consortium of public schools  
12 that receives an allocation of money from the Account shall:

13 (a) Account for the money separately;

14 (b) Use the money to supplement and not replace the money that  
15 would otherwise be expended by the school district or public school  
16 for the achievement of pupils in kindergarten through grade 6 or  
17 pupils in grades 7 through 12, as applicable; and

18 (c) Submit an evaluation of the effectiveness of the allocation in  
19 improving the achievement of pupils in kindergarten through grade  
20 6 or pupils in grades 7 through 12, as applicable, in accordance with  
21 the criteria for evaluation established by the ~~[Commission]~~ *State*  
22 *Board* pursuant to NRS 385.3785.

23 2. A public school or consortium of public schools that  
24 receives an allocation of money from the Account shall not:

25 (a) Use the money to settle or arbitrate disputes or negotiate  
26 settlements between an organization that represents licensed  
27 employees of the school district or public school and the school  
28 district or public school, as applicable.

29 (b) Use the money to adjust the schedules of salaries and  
30 benefits of the employees of the school district or public school, as  
31 applicable.

32 **Sec. 25.** NRS 385.3789 is hereby amended to read as follows:

33 385.3789 1. The ~~[Commission]~~ *State Board* shall prepare an  
34 annual report that describes the distribution of money to the public  
35 schools and consortiums of public schools and the programs for  
36 which money was allocated from the Account, including, without  
37 limitation, the total amount of money allocated:

38 (a) To each consortium of public schools, with a designation of  
39 which public schools are included in each consortium;

40 (b) To each public school;

41 (c) To schools included on the list of priorities of schools  
42 provided by the Department pursuant to NRS 385.3785;

43 (d) For programs that provide services directly to pupils for  
44 remediation and innovation, including, without limitation,  
45 instruction, instructional materials and support materials;



1 (e) For programs that provide instructional support and have an  
2 indirect effect on pupils, including, without limitation, the provision  
3 of professional development for educational personnel and the  
4 employment of administrators; ~~and~~

5 (f) For each program, including, without limitation:

6 (1) A description of the program, including, without  
7 limitation, whether the program is available commercially;

8 (2) Whether the ~~Commission~~ *State Board* considers the  
9 program to be innovative;

10 (3) Whether the program includes the provision of  
11 professional development other than professional development that  
12 is related to carrying out a program that provides services directly to  
13 pupils;

14 (4) The costs to implement the program; and

15 (5) The full-time personnel necessary to implement the  
16 program, if any ~~;~~; and

17 (g) *For evaluations of the programs for which money was  
18 allocated from the Account pursuant to subsection 3 of  
19 NRS 385.379.*

20 ➤ The report must be submitted on or before September 1 of each  
21 year to the entities identified in subsection 3.

22 2. The ~~Commission~~ *State Board* shall:

23 (a) Prepare an annual report that describes:

24 (1) The activities of the ~~Commission~~ *State Board relating  
25 to the provisions of NRS 385.3782 to 385.379, inclusive;*

26 (2) An analysis of the progress of *and strategies proposed by*  
27 the public schools in carrying out the plans to improve the  
28 achievement of pupils; and

29 (3) An analysis of the progress of *and strategies proposed by*  
30 the public schools and consortiums of public schools that received  
31 an allocation of money from the Account in improving the  
32 achievement of pupils.

33 (b) Submit the report on or before January 31 of each year to the  
34 entities identified in subsection 3.

35 3. The ~~Commission~~ *State Board* shall submit the reports  
36 required by this section to the:

37 (a) ~~State Board;~~

38 ~~(b)~~ Governor;

39 ~~(e)~~ (b) Committee;

40 ~~(d)~~ (c) Bureau;

41 ~~(e)~~ (d) Interim Finance Committee; and

42 ~~(f)~~ (e) Board of trustees of each school district.

43 4. The Legislative Auditor shall audit biennially the programs  
44 for which public schools and consortiums of public schools receive  
45 an allocation of money. The audit may include a representative



1 sample of programs, based upon geographic location and type of  
2 program. The Legislative Auditor shall report the results of each  
3 biennial audit to the entities prescribed in subsection 3.

4 **Sec. 26.** NRS 385.379 is hereby amended to read as follows:

5 385.379 1. The Account for Programs for Innovation and the  
6 Prevention of Remediation is hereby created in the State General  
7 Fund, to be administered by the *State* Superintendent ~~[of Public~~  
8 ~~Instruction.] for Education.~~ The *State* Superintendent ~~[of Public~~  
9 ~~Instruction.] for Education~~ may accept gifts and grants of money  
10 from any source for deposit in the Account. Any money from gifts  
11 and grants may be expended in accordance with the terms and  
12 conditions of the gift or grant, or in accordance with subsection 2 or  
13 3. The interest and income earned on the sum of:

14 (a) The money in the Account; and

15 (b) Unexpended appropriations made to the Account from the  
16 State General Fund,

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

21 2. Except as otherwise provided in ~~[NRS 385.3784 and]~~  
22 subsection 3, the money in the Account may only be used for the  
23 allocation of money to public schools and consortiums of public  
24 schools whose applications are approved by the ~~[Commission]~~ *State*  
25 *Board* pursuant to NRS 385.3785.

26 3. Upon the request of the ~~[Commission:]~~ *State Board:*

27 (a) Not more than \$50,000 in the Account may be used each  
28 biennium to pay:

29 (1) The expenses incurred by members of the ~~[Commission]~~  
30 *State Board* to travel to the public schools and consortiums of  
31 public schools that received allocations of money from the Account;  
32 and

33 (2) The costs incurred by the ~~[Commission]~~ *State Board* to  
34 hold meetings or conferences for representatives of public schools  
35 and consortiums of schools that received allocations of money from  
36 the Account to discuss or display, or both, programs, practices and  
37 strategies that have proven effective in improving the academic  
38 achievement and proficiency of pupils.

39 (b) Not more than \$450,000 in the Account may be used each  
40 biennium to pay for an evaluation of the programs for which money  
41 was allocated from the Account. If the ~~[Commission]~~ *State Board*  
42 uses money in the Account for such an evaluation, the  
43 ~~[Commission]~~ *State Board* shall ensure that:

44 (1) A request for proposals is issued and a qualified,  
45 independent consultant is selected to conduct the evaluation;



1 (2) Upon selection of the consultant, the ~~Commission~~ *State*  
2 *Board* receives approval of the consultant and the plan for the  
3 evaluation from the Committee;

4 (3) The evaluation is designed to determine the effectiveness  
5 of the programs for which money was allocated from the Account in  
6 improving the achievement of pupils;

7 (4) The evaluation includes an identification of the programs  
8 for which money was allocated from the Account that did not  
9 improve the achievement of pupils as described in the approved  
10 application for the grant;

11 (5) The evaluation includes an identification of the public  
12 schools and consortiums of public schools that did not implement  
13 the programs for which money was allocated from the Account as  
14 described in the approved application for the grant; and

15 (6) The evaluation includes a compilation and review of each  
16 evaluation required to be submitted by public schools and  
17 consortiums of public schools pursuant to NRS 385.3787.

18 **Sec. 27.** NRS 385.389 is hereby amended to read as follows:

19 385.389 1. The Department shall adopt programs of remedial  
20 study for each subject tested on the examinations administered  
21 pursuant to NRS 389.015, including, without limitation, programs  
22 that are designed for pupils who are limited English proficient. The  
23 programs adopted for pupils who are limited English proficient must  
24 be designed to:

25 (a) Improve the academic achievement of those pupils; or

26 (b) Assist those pupils with attaining proficiency in the English  
27 language.

28 ➔ In adopting these programs of remedial study, the Department  
29 shall consider the recommendations submitted by the Committee  
30 pursuant to NRS 218.5354 and programs of remedial study that  
31 have proven to be successful in improving the academic  
32 achievement of pupils.

33 2. If a school fails to make adequate yearly progress or if less  
34 than 60 percent of the pupils enrolled in a school who took the  
35 examinations administered pursuant to NRS 389.015 received an  
36 average score on those examinations that is at least equal to the 26th  
37 percentile of the national reference group of pupils to which the  
38 examinations were compared, the school shall adopt a program of  
39 remedial study that has been adopted by the Department pursuant to  
40 subsection 1 or a program, practice or strategy recommended by the  
41 ~~Commission on Educational Excellence~~ *State Board* pursuant to  
42 NRS 385.3785, or any combination thereof, as applicable.

43 3. A school district that includes a school described in  
44 subsection 2 shall ensure that each of the pupils enrolled in the  
45 school who failed to demonstrate at least adequate achievement on



1 the examinations administered pursuant to NRS 389.015 completes,  
2 in accordance with the requirements set forth in subsection 4 of  
3 NRS 389.015, remedial study that is determined to be appropriate  
4 for the pupil.

5 **Sec. 28.** NRS 385.620 is hereby amended to read as follows:

6 385.620 The Advisory Council shall:

7 1. Review the policy of parental involvement adopted by the  
8 State Board and the policy of parental involvement adopted by the  
9 board of trustees of each school district pursuant to NRS 392.457;

10 2. Review the information relating to communication with and  
11 participation of parents that is included in the annual report of  
12 accountability for each school district pursuant to paragraph (j) of  
13 subsection 2 of NRS 385.347;

14 3. Review any effective practices carried out in individual  
15 school districts to increase parental involvement and determine the  
16 feasibility of carrying out those practices on a statewide basis;

17 4. Review any effective practices carried out in other states to  
18 increase parental involvement and determine the feasibility of  
19 carrying out those practices in this State;

20 5. Identify methods to communicate effectively and provide  
21 outreach to parents and legal guardians of pupils who have limited  
22 time to become involved in the education of their children for  
23 various reasons, including, without limitation, work schedules,  
24 single-parent homes and other family obligations;

25 6. Identify the manner in which the level of parental  
26 involvement affects the performance, attendance and discipline of  
27 pupils;

28 7. Identify methods to communicate effectively with and  
29 provide outreach to parents and legal guardians of pupils who are  
30 limited English proficient;

31 8. Determine the necessity for the appointment of a statewide  
32 parental involvement coordinator or a parental involvement  
33 coordinator in each school district, or both;

34 9. On or before July 1 of each year, submit a report to the *State*  
35 *Board and the* Legislative Committee on Education describing the  
36 activities of the Advisory Council and any recommendations for  
37 legislation; and

38 10. On or before February 1 of each odd-numbered year,  
39 submit a report *to the State Board and* to the Director of the  
40 Legislative Counsel Bureau for transmission to the next regular  
41 session of the Legislature describing the activities of the Advisory  
42 Council and any recommendations for legislation.

43 **Sec. 29.** NRS 387.303 is hereby amended to read as follows:

44 387.303 1. Not later than November 10 of each year, the  
45 board of trustees of each school district shall submit to the *State*





1 Superintendent ~~[of Public Instruction]~~ *for Education* and the  
2 Department of Taxation a report which includes the following  
3 information:

4 (a) For each fund within the school district, including, without  
5 limitation, the school district's general fund and any special revenue  
6 fund which receives state money, the total number and salaries of  
7 licensed and nonlicensed persons whose salaries are paid from the  
8 fund and who are employed by the school district in full-time  
9 positions or in part-time positions added together to represent full-  
10 time positions. Information must be provided for the current school  
11 year based upon the school district's final budget, including any  
12 amendments and augmentations thereto, and for the preceding  
13 school year. An employee must be categorized as filling an  
14 instructional, administrative, instructional support or other position.

15 (b) The count of pupils computed pursuant to paragraph (a) of  
16 subsection 1 of NRS 387.1233.

17 (c) The school district's actual expenditures in the fiscal year  
18 immediately preceding the report.

19 (d) The school district's proposed expenditures for the current  
20 fiscal year.

21 (e) The schedule of salaries for licensed employees in the  
22 current school year and a statement of whether the negotiations  
23 regarding salaries for the current school year have been completed.  
24 If the negotiations have not been completed at the time the schedule  
25 of salaries is submitted, the board of trustees shall submit a  
26 supplemental report to the *State* Superintendent ~~[of Public  
27 Instruction]~~ *for Education* upon completion of negotiations or the  
28 determination of an arbitrator concerning the negotiations that  
29 includes the schedule of salaries agreed to or required by the  
30 arbitrator.

31 (f) The number of employees who received an increase in salary  
32 pursuant to subsection ~~[2, 3 or 4]~~ *3, 4 or 5* of NRS 391.160 for the  
33 current and preceding fiscal years. If the board of trustees is  
34 required to pay an increase in salary retroactively pursuant to  
35 subsection ~~[2]~~ *3* of NRS 391.160, the board of trustees shall submit  
36 a supplemental report to the *State* Superintendent ~~[of Public  
37 Instruction]~~ *for Education* not later than February 15 of the year in  
38 which the retroactive payment was made that includes the number  
39 of teachers to whom an increase in salary was paid retroactively.

40 (g) The number of employees eligible for health insurance  
41 within the school district for the current and preceding fiscal years  
42 and the amount paid for health insurance for each such employee  
43 during those years.





1 (h) The rates for fringe benefits, excluding health insurance,  
2 paid by the school district for its licensed employees in the  
3 preceding and current fiscal years.

4 (i) The amount paid for extra duties, supervision of  
5 extracurricular activities and supplemental pay and the number of  
6 employees receiving that pay in the preceding and current fiscal  
7 years.

8 (j) The expenditures from the account created pursuant to  
9 subsection ~~3~~ 4 of NRS 179.1187. The report must indicate the total  
10 amount received by the district in the preceding fiscal year, and the  
11 specific amount spent on books and computer hardware and  
12 software for each grade level in the district.

13 2. On or before November 25 of each year, the *State*  
14 Superintendent ~~[of Public Instruction]~~ *for Education* shall submit to  
15 the Department of Administration and the Fiscal Analysis Division  
16 of the Legislative Counsel Bureau, in a format approved by the  
17 Director of the Department of Administration, a compilation of the  
18 reports made by each school district pursuant to subsection 1.

19 3. In preparing the agency biennial budget request for the State  
20 Distributive School Account for submission to the Department of  
21 Administration, the *State* Superintendent ~~[of Public Instruction:]~~ *for*  
22 *Education:*

23 (a) Shall compile the information from the most recent  
24 compilation of reports submitted pursuant to subsection 2;

25 (b) May increase the line items of expenditures or revenues  
26 based on merit salary increases and cost of living adjustments or  
27 inflation, as deemed credible and reliable based upon published  
28 indexes and research relevant to the specific line item of expenditure  
29 or revenue;

30 (c) May adjust expenditures and revenues pursuant to paragraph  
31 (b) for any year remaining before the biennium for which the budget  
32 is being prepared and for the 2 years of the biennium covered by the  
33 biennial budget request to project the cost of expenditures or the  
34 receipt of revenues for the specific line items;

35 (d) May consider the cost of enhancements to existing programs  
36 or the projected cost of proposed new educational programs,  
37 regardless of whether those enhancements or new programs are  
38 included in the per pupil basic support guarantee for inclusion in the  
39 biennial budget request to the Department of Administration; and

40 (e) Shall obtain approval from the State Board for any  
41 inflationary increase, enhancement to an existing program or  
42 addition of a new program included in the agency biennial budget  
43 request.

44 4. The *State* Superintendent ~~[of Public Instruction]~~ *for*  
45 *Education* shall, in the compilation required by subsection 2,



1 reconcile the revenues of the school districts with the apportionment  
2 received by those districts from the State Distributive School  
3 Account for the preceding year.

4 5. The request prepared pursuant to subsection 3 must:

5 (a) Be presented by the *State Superintendent* ~~[of *Public*~~  
6 ~~*Instruction*~~ *for Education* to such standing committees of the  
7 Legislature as requested by the standing committees for the  
8 purposes of developing educational programs and providing  
9 appropriations for those programs; and

10 (b) Provide for a direct comparison of appropriations to the  
11 proposed budget of the Governor submitted pursuant to subsection 4  
12 of NRS 353.230.

13 **Sec. 30.** NRS 388.787 is hereby amended to read as follows:

14 388.787 *As used in NRS 388.787 to 388.805, inclusive, unless*  
15 *the context otherwise requires*, “Committee” means the Legislative  
16 Committee on Education created pursuant to NRS 218.5352.

17 **Sec. 31.** NRS 388.795 is hereby amended to read as follows:

18 388.795 1. The ~~[*Commission*]~~ *State Board* shall establish a  
19 plan for the use of educational technology in the public schools of  
20 this State. In preparing the plan, the ~~[*Commission*]~~ *State Board* shall  
21 consider:

22 (a) Plans that have been adopted by the Department and the  
23 school districts in this State;

24 (b) Plans that have been adopted in other states;

25 (c) The information reported pursuant to paragraph (t) of  
26 subsection 2 of NRS 385.347;

27 (d) The results of the assessment of needs conducted pursuant to  
28 subsection ~~[6:]~~ 5; and

29 (e) Any other information that the ~~[*Commission*]~~ *State Board* or  
30 the Committee deems relevant to the preparation of the plan.

31 2. The plan established by the ~~[*Commission*]~~ *State Board* must  
32 include recommendations for methods to:

33 (a) Incorporate educational technology into the public schools of  
34 this State;

35 (b) Increase the number of pupils in the public schools of this  
36 State who have access to educational technology;

37 (c) Increase the availability of educational technology to assist  
38 licensed teachers and other educational personnel in complying with  
39 the requirements of continuing education, including, without  
40 limitation, the receipt of credit for college courses completed  
41 through the use of educational technology;

42 (d) Facilitate the exchange of ideas to improve the achievement  
43 of pupils who are enrolled in the public schools of this State; and

44 (e) Address the needs of teachers in incorporating the use of  
45 educational technology in the classroom, including, without



1 limitation, the completion of training that is sufficient to enable the  
2 teachers to instruct pupils in the use of educational technology.

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

4 ~~—(a) Administrative support;~~

5 ~~—(b) Equipment; and~~

6 ~~—(c) Office space;~~

7 ~~→ as is necessary for the Commission to carry out the provisions of  
8 this section.~~

9 ~~4.]~~ The following entities shall cooperate with the  
10 ~~[Commission]~~ *State Board* in carrying out the provisions of this  
11 section:

12 (a) ~~[The State Board.~~

13 ~~—(b)]~~ The board of trustees of each school district.

14 ~~[(e)]~~ (b) The superintendent of schools of each school district.

15 ~~[(d)]~~ (c) The Department ~~[-~~

16 ~~5-]~~ , *including specifically the Division of Operations, Fiscal  
17 Services and Technology.*

18 4. The ~~[Commission]~~ *State Board* shall:

19 (a) Develop technical standards for educational technology and  
20 any electrical or structural appurtenances necessary thereto,  
21 including, without limitation, uniform specifications for computer  
22 hardware and wiring, to ensure that such technology is compatible,  
23 uniform and can be interconnected throughout the public schools of  
24 this State.

25 (b) Allocate money to the school districts from the Trust Fund  
26 for Educational Technology created pursuant to NRS 388.800 and  
27 any money appropriated by the Legislature for educational  
28 technology, subject to any priorities for such allocation established  
29 by the Legislature.

30 (c) Establish criteria for the board of trustees of a school district  
31 that receives an allocation of money from the ~~[Commission]~~ *State  
32 Board* to:

33 (1) Repair, replace and maintain computer systems.

34 (2) Upgrade and improve computer hardware and software  
35 and other educational technology.

36 (3) Provide training, installation and technical support related  
37 to the use of educational technology within the district.

38 (d) Submit to the Governor, the Committee and the Department  
39 its plan for the use of educational technology in the public schools  
40 of this State and any recommendations for legislation.

41 (e) Review the plan annually and make revisions as it deems  
42 necessary or as directed by the Committee or the Department.

43 (f) In addition to the recommendations set forth in the plan  
44 pursuant to subsection 2, make further recommendations to the



1 Committee and the Department as the ~~Commission~~ *State Board*  
2 deems necessary.

3 ~~6.~~ 5. During the spring semester of each even-numbered  
4 school year, the ~~Commission~~ *State Board* shall conduct an  
5 assessment of the needs of each school district relating to  
6 educational technology. In conducting the assessment, the  
7 ~~Commission~~ *State Board* shall consider:

8 (a) The recommendations set forth in the plan pursuant to  
9 subsection 2;

10 (b) The plan for educational technology of each school district,  
11 if applicable;

12 (c) Evaluations of educational technology conducted for the  
13 State or for a school district, if applicable; and

14 (d) Any other information deemed relevant by the  
15 ~~Commission.~~ *State Board.*

16 ➔ The ~~Commission~~ *State Board* shall submit a final written report  
17 of the assessment to the *State Superintendent* ~~[of Public Instruction]~~  
18 *for Education* on or before April 1 of each even-numbered year.

19 ~~7.~~ 6. The *State Superintendent* ~~[of Public Instruction]~~ *for*  
20 *Education* shall prepare a written compilation of the results of the  
21 assessment conducted by the ~~Commission~~ *State Board* and  
22 transmit the written compilation on or before June 1 of each even-  
23 numbered year to the Legislative Committee on Education and to  
24 the Director of the Legislative Counsel Bureau for transmission to  
25 the next regular session of the Legislature.

26 ~~8.~~ 7. The ~~Commission~~ *State Board* may appoint an  
27 advisory committee composed of *six* members ~~[of the Commission~~  
28 ~~or other qualified persons]~~ *who are qualified and who represent the*  
29 *ethnic and geographic diversity of this State* to provide  
30 recommendations to the ~~Commission~~ *State Board* regarding  
31 standards for the establishment, coordination and use of a  
32 telecommunications network in the public schools throughout the  
33 various school districts in this State. The advisory committee serves  
34 at the pleasure of the ~~Commission~~ *State Board* and without  
35 compensation unless an appropriation or other money for that  
36 purpose is provided by the Legislature.

37 ~~9.~~ 8. As used in this section, “public school” includes the  
38 Caliente Youth Center, the Nevada Youth Training Center and any  
39 other state facility for the detention of children that is operated  
40 pursuant to title 5 of NRS.

41 **Sec. 32.** NRS 388.800 is hereby amended to read as follows:

42 388.800 1. The Trust Fund for Educational Technology is  
43 hereby created in the State General Fund. The Trust Fund must be  
44 administered by the *State Superintendent* ~~[of Public Instruction.]~~ *for*  
45 *Education*. The Superintendent may accept gifts and grants of



1 money from any source for deposit in the Trust Fund. Any such  
2 money may be expended in accordance with the terms and  
3 conditions of the gift or grant, or in accordance with subsection 3.

4 2. The interest and income earned on the money in the Trust  
5 Fund must be credited to the Trust Fund.

6 3. The money in the Trust Fund may be used only for the  
7 distribution of money to school districts to be used in kindergarten  
8 through 12th grade to obtain and maintain hardware and software  
9 for computer systems, equipment for transfer of data by modem  
10 through connection to telephone lines, and other educational  
11 technology as may be approved by the ~~{Commission}~~ *State Board*  
12 for use in classrooms.

13 **Sec. 33.** NRS 388.805 is hereby amended to read as follows:

14 388.805 The ~~{Department shall, in consultation with the~~  
15 ~~Commission,}~~ *State Board shall* adopt regulations that establish a  
16 program whereby school districts may apply to the ~~{Commission on~~  
17 ~~Educational Technology}~~ *State Board* for money from the Trust  
18 Fund for Educational Technology.

19 **Sec. 34.** NRS 389.012 is hereby amended to read as follows:

20 389.012 1. The State Board shall:

21 (a) In accordance with guidelines established by the National  
22 Assessment Governing Board and National Center for Education  
23 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the  
24 regulations adopted pursuant thereto, adopt regulations requiring the  
25 schools of this State that are selected by the National Assessment  
26 Governing Board or the National Center for Education Statistics to  
27 participate in the examinations of the National Assessment of  
28 Educational Progress.

29 (b) Report the results of those examinations to the:

30 (1) Governor;

31 (2) Board of trustees of each school district of this State;

32 (3) Legislative Committee on Education created pursuant to  
33 NRS 218.5352; and

34 (4) Legislative Bureau of Educational Accountability and  
35 Program Evaluation created pursuant to NRS 218.5356.

36 (c) Include in the report required pursuant to paragraph (b) an  
37 analysis and comparison of the results of pupils in this State on the  
38 examinations required by this section with:

39 (1) The results of pupils throughout this country who  
40 participated in the examinations of the National Assessment of  
41 Educational Progress; and

42 (2) The results of pupils on the achievement and proficiency  
43 examinations administered pursuant to this chapter.

44 2. If the report required by subsection 1 indicates that the  
45 percentage of pupils enrolled in the public schools in this State who



1 are proficient on the National Assessment of Educational Progress  
2 differs by more than 10 percent of the pupils who are proficient on  
3 the examinations administered pursuant to NRS 389.550 and the  
4 high school proficiency examination administered pursuant to NRS  
5 389.015, the Department shall prepare a written report describing  
6 the discrepancy. The report must include, without limitation, a  
7 comparison and evaluation of:

8 (a) The standards of content and performance for English and  
9 mathematics established pursuant to NRS 389.520 with the  
10 standards for English and mathematics that are tested on the  
11 National Assessment.

12 (b) The standards for proficiency established for the National  
13 Assessment with the standards for proficiency established for the  
14 examinations that are administered pursuant to NRS 389.550 and  
15 the high school proficiency examination administered pursuant to  
16 NRS 389.015.

17 3. The report prepared by the Department pursuant to  
18 subsection 2 must be submitted to the:

19 (a) Governor;

20 (b) Legislative Committee on Education;

21 (c) Legislative Bureau of Educational Accountability and  
22 Program Evaluation; and

23 (d) ~~{Council to Establish Academic Standards for Public~~  
24 ~~Schools}~~ *State Board*.

25 4. The ~~{Council to Establish Academic Standards for Public~~  
26 ~~Schools}~~ *State Board* shall review and evaluate the report provided  
27 to the ~~{Council}~~ *State Board* pursuant to subsection 3 to identify any  
28 discrepancies in the standards of content and performance  
29 established by the ~~{Council}~~ *State Board* that require revision and a  
30 timeline for carrying out the revision, if necessary. The ~~{Council}~~  
31 *State Board* shall submit a written report of its review and  
32 evaluation to the Legislative Committee on Education and  
33 Legislative Bureau of Educational Accountability and Program  
34 Evaluation.

35 **Sec. 35.** NRS 389.015 is hereby amended to read as follows:

36 389.015 1. The board of trustees of each school district shall  
37 administer examinations in all public schools of the school district.  
38 The governing body of a charter school shall administer the same  
39 examinations in the charter school. The examinations administered  
40 by the board of trustees and governing body must determine the  
41 achievement and proficiency of pupils in:

42 (a) Reading;

43 (b) Mathematics; and

44 (c) Science.

45 2. The examinations required by subsection 1 must be:



1 (a) Administered before the completion of grades 4, 7, 10  
2 and 11.

3 (b) Administered in each school district and each charter school  
4 at the same time during the spring semester. The time for the  
5 administration of the examinations must be prescribed by the State  
6 Board.

7 (c) Administered in each school in accordance with uniform  
8 procedures adopted by the State Board. The Department shall  
9 monitor the compliance of school districts and individual schools  
10 with the uniform procedures.

11 (d) Administered in each school in accordance with the plan  
12 adopted pursuant to NRS 389.616 by the Department and with the  
13 plan adopted pursuant to NRS 389.620 by the board of trustees of  
14 the school district in which the examinations are administered. The  
15 Department shall monitor the compliance of school districts and  
16 individual schools with:

17 (1) The plan adopted by the Department; and

18 (2) The plan adopted by the board of trustees of the  
19 applicable school district, to the extent that the plan adopted by the  
20 board of trustees of the school district is consistent with the plan  
21 adopted by the Department.

22 (e) Scored by a single private entity that has contracted with the  
23 State Board to score the examinations. The private entity that scores  
24 the examinations shall report the results of the examinations in the  
25 form and by the date required by the Department.

26 3. Not more than 14 working days after the results of the  
27 examinations are reported to the Department by a private entity that  
28 scored the examinations, the *State Superintendent [of Public*  
29 *Instruction] for Education* shall certify that the results of the  
30 examinations have been transmitted to each school district and each  
31 charter school. Not more than 10 working days after a school district  
32 receives the results of the examinations, the superintendent of  
33 schools of each school district shall certify that the results of the  
34 examinations have been transmitted to each school within the school  
35 district. Except as otherwise provided in this subsection, not more  
36 than 15 working days after each school receives the results of the  
37 examinations, the principal of each school and the governing body  
38 of each charter school shall certify that the results for each pupil  
39 have been provided to the parent or legal guardian of the pupil:

40 (a) During a conference between the teacher of the pupil or  
41 administrator of the school and the parent or legal guardian of the  
42 pupil; or

43 (b) By mailing the results of the examinations to the last known  
44 address of the parent or legal guardian of the pupil.





1   ↳ If a pupil fails the high school proficiency examination, the  
2 school shall notify the pupil and the parents or legal guardian of the  
3 pupil of each subject area that the pupil failed as soon as practicable  
4 but not later than 15 working days after the school receives the  
5 results of the examination.

6       4. If a pupil fails to demonstrate at least adequate achievement  
7 on the examination administered before the completion of grade 4, 7  
8 or 10, he may be promoted to the next higher grade, but the results  
9 of his examination must be evaluated to determine what remedial  
10 study is appropriate. If such a pupil is enrolled at a school that has  
11 failed to make adequate yearly progress or in which less than 60  
12 percent of the pupils enrolled in grade 4, 7 or 10 in the school who  
13 took the examinations administered pursuant to this section received  
14 an average score on those examinations that is at least equal to the  
15 26th percentile of the national reference group of pupils to which  
16 the examinations were compared, the pupil must, in accordance with  
17 the requirements set forth in this subsection, complete remedial  
18 study that is determined to be appropriate for the pupil.

19       5. If a pupil fails to pass the high school proficiency  
20 examination, he must not be graduated unless he:

21       (a) Is able, through remedial study, to pass the proficiency  
22 examination; or

23       (b) Passes *at least two of* the subject areas ~~[of mathematics and~~  
24 ~~reading]~~ tested on the proficiency examination, has at least a ~~[2.75]~~  
25 *2.0* grade point average on a 4.0 grading scale and satisfies the  
26 alternative criteria prescribed by the State Board pursuant to  
27 NRS 389.805,

28       ↳ but he may be given a certificate of attendance, in place of a  
29 diploma, if he has reached the age of 18 years.

30       6. The State Board shall prescribe standard examinations of  
31 achievement and proficiency to be administered pursuant to  
32 subsection 1. The high school proficiency examination must include  
33 the subjects of reading, mathematics and science and, except for the  
34 writing portion prescribed pursuant to NRS 389.550, must be  
35 developed, printed and scored by a nationally recognized testing  
36 company in accordance with the process established by the testing  
37 company. The examinations on reading, mathematics and science  
38 prescribed for grades 4, 7 and 10 must be selected from  
39 examinations created by private entities and administered to a  
40 national reference group, and must allow for a comparison of the  
41 achievement and proficiency of pupils in grades 4, 7 and 10 in this  
42 State to that of a national reference group of pupils in grades 4, 7  
43 and 10. The questions contained in the examinations and the  
44 approved answers used for grading them are confidential, and  
45 disclosure is unlawful except:





1 (a) To the extent necessary for administering and evaluating the  
2 examinations.

3 (b) That a disclosure may be made to a:

4 (1) State officer who is a member of the Executive or  
5 Legislative Branch to the extent that it is necessary for the  
6 performance of his duties;

7 (2) Superintendent of schools of a school district to the  
8 extent that it is necessary for the performance of his duties;

9 (3) Director of curriculum of a school district to the extent  
10 that it is necessary for the performance of his duties; and

11 (4) Director of testing of a school district to the extent that it  
12 is necessary for the performance of his duties.

13 (c) That specific questions and answers may be disclosed if the  
14 *State Superintendent* ~~[of Public Instruction]~~ *for Education*  
15 determines that the content of the questions and answers is not being  
16 used in a current examination and making the content available to  
17 the public poses no threat to the security of the current examination  
18 process.

19 (d) As required pursuant to NRS 239.0115.

20 **Sec. 36.** NRS 389.019 is hereby amended to read as follows:

21 389.019 Except as otherwise provided in NRS 389.180, boards  
22 of trustees of school districts in this State shall enforce in schools:

23 1. The standards of content and performance established by the  
24 ~~[Council to Establish Academic Standards for Public Schools]~~ *State*  
25 *Board* and the courses of study related to those standards; and

26 2. The courses of study prescribed and adopted by the State  
27 Board.

28 **Sec. 37.** NRS 389.520 is hereby amended to read as follows:

29 389.520 1. The ~~[Council]~~ *State Board* shall:

30 (a) Establish standards of content and performance, including,  
31 without limitation, a prescription of the resulting level of  
32 achievement, for the grade levels set forth in subsection 2, based  
33 upon the content of each course, that is expected of pupils for the  
34 following courses of study:

35 (1) English, including reading, composition and writing;

36 (2) Mathematics;

37 (3) Science;

38 (4) Social studies, which includes only the subjects of  
39 history, geography, economics and government;

40 (5) The arts;

41 (6) Computer education and technology;

42 (7) Health; and

43 (8) Physical education.

44 (b) Establish a schedule for the periodic review and, if  
45 necessary, revision of the standards of content and performance. The



1 review must include, without limitation, the review required  
2 pursuant to NRS 389.570 of the results of pupils on the  
3 examinations administered pursuant to NRS 389.550.

4 (c) Assign priorities to the standards of content and performance  
5 relative to importance and degree of emphasis and revise the  
6 standards, if necessary, based upon the priorities.

7 2. The ~~[Council]~~ *State Board* shall establish *and adopt*  
8 standards of content and performance for each grade level in  
9 kindergarten and grades 1 to 8, inclusive, for English and  
10 mathematics. The ~~[Council]~~ *State Board* shall establish *and adopt*  
11 standards of content and performance for the grade levels selected  
12 by the ~~[Council]~~ *State Board* for the other courses of study  
13 prescribed in subsection 1.

14 3. ~~[The Council shall forward to the State Board the standards  
15 of content and performance established by the Council for each  
16 course of study. The State Board shall:~~

17 ~~—(a) Adopt the standards for each course of study, as submitted  
18 by the Council; or~~

19 ~~—(b) If the State Board objects to the standards for a course of  
20 study or a particular grade level for a course of study, return those  
21 standards to the Council with a written explanation setting forth the  
22 reason for the objection.~~

23 ~~4. If the State Board returns to the Council the standards of  
24 content and performance for a course of study or a grade level, the  
25 Council shall:~~

26 ~~—(a) Consider the objection provided by the State Board and  
27 determine whether to revise the standards based upon the objection;  
28 and~~

29 ~~—(b) Return the standards or the revised standards, as applicable,  
30 to the State Board.~~

31 ~~→ The State Board shall adopt the standards of content and  
32 performance or the revised standards, as applicable.~~

33 ~~5. The Council shall work in cooperation with the] *The* State  
34 Board ~~[to] shall~~ prescribe the examinations required by  
35 NRS 389.550.~~

36 **Sec. 38.** NRS 389.530 is hereby amended to read as follows:

37 389.530 ~~[1. The Department shall provide:~~

38 ~~—(a) Administrative support;~~

39 ~~—(b) Equipment; and~~

40 ~~—(c) Office space;~~

41 ~~→ as is necessary for the Council to carry out its duties.~~

42 ~~2. The Council may request assistance from any agency of this  
43 state if the assistance is necessary for the Council to carry out its  
44 duties.] *The State Board may appoint an advisory committee  
45 composed of six members who are qualified and who represent the*~~



1 *ethnic and geographic diversity of this State to carry out the*  
2 *provisions of NRS 389.520 to 389.570, inclusive. The advisory*  
3 *committee serves at the pleasure of the State Board and without*  
4 *compensation unless an appropriation or other money for that*  
5 *purpose is provided by the Legislature.*

6 **Sec. 39.** NRS 389.540 is hereby amended to read as follows:

7 389.540 The board of trustees of each school district shall  
8 conduct a periodic review of the courses of study offered in the  
9 public schools of the school district to determine whether the  
10 courses of study comply with the standards of content and  
11 performance established by the ~~[Council]~~ *State Board* pursuant to  
12 NRS 389.520 and if revision of the courses of study is necessary to  
13 ensure compliance.

14 **Sec. 40.** NRS 389.550 is hereby amended to read as follows:

15 389.550 1. The State Board shall ~~[, in consultation with the~~  
16 ~~Council,]~~ prescribe examinations that comply with 20 U.S.C. §  
17 6311(b)(3) and that measure the achievement and proficiency of  
18 pupils:

19 (a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content  
20 established by the ~~[Council]~~ *State Board* for the subjects of English  
21 and mathematics.

22 (b) For grades 5 and 8, in the standards of content established by  
23 the ~~[Council]~~ *State Board* for the subject of science.

24 ➤ The examinations prescribed pursuant to this subsection must be  
25 written, developed, printed and scored by a nationally recognized  
26 testing company.

27 2. In addition to the examinations prescribed pursuant to  
28 subsection 1, the State Board shall ~~[, in consultation with the~~  
29 ~~Council,]~~ prescribe a writing examination for grades 5 and 8 and for  
30 the high school proficiency examination.

31 3. The board of trustees of each school district and the  
32 governing body of each charter school shall administer the  
33 examinations prescribed by the State Board. The examinations must  
34 be:

35 (a) Administered to pupils in each school district and each  
36 charter school at the same time during the spring semester, as  
37 prescribed by the State Board.

38 (b) Administered in each school in accordance with uniform  
39 procedures adopted by the State Board. The Department shall  
40 monitor the school districts and individual schools to ensure  
41 compliance with the uniform procedures.

42 (c) Administered in each school in accordance with the plan  
43 adopted pursuant to NRS 389.616 by the Department and with the  
44 plan adopted pursuant to NRS 389.620 by the board of trustees of  
45 the school district in which the examinations are administered. The



1 Department shall monitor the compliance of school districts and  
2 individual schools with:

3 (1) The plan adopted by the Department; and

4 (2) The plan adopted by the board of trustees of the  
5 applicable school district, to the extent that the plan adopted by the  
6 board of trustees of the school district is consistent with the plan  
7 adopted by the Department.

8 **Sec. 41.** NRS 389.560 is hereby amended to read as follows:

9 389.560 1. The State Board shall adopt regulations that  
10 require the board of trustees of each school district and the  
11 governing body of each charter school to submit to the *State*  
12 Superintendent ~~[of Public Instruction,]~~ *for Education,* the  
13 Department and the ~~[Council,]~~ *State Board,* in the form and manner  
14 prescribed by the Superintendent, the results of the examinations  
15 administered pursuant to NRS 389.550. The State Board shall not  
16 include in the regulations any provision that would violate the  
17 confidentiality of the test scores of an individual pupil.

18 2. The results of the examinations must be reported for each  
19 school, including, without limitation, each charter school, school  
20 district and this State, as follows:

21 (a) The percentage of pupils who have demonstrated  
22 proficiency, as defined by the Department, and took the  
23 examinations under regular testing conditions; and

24 (b) The percentage of pupils who have demonstrated  
25 proficiency, as defined by the Department, and took the  
26 examinations with modifications or accommodations, if such  
27 reporting does not violate the confidentiality of the test scores of any  
28 individual pupil.

29 3. Not later than 10 days after the Department receives the  
30 results of the examinations, the Department shall transmit a copy of  
31 the results to the Legislative Bureau of Educational Accountability  
32 and Program Evaluation in a manner that does not violate the  
33 confidentiality of the test scores of any individual pupil.

34 4. On or before July 1 of each year, each school district and  
35 each charter school shall report to the Department the following  
36 information for each examination administered in the public schools  
37 in the school district or charter school:

38 (a) The examination administered;

39 (b) The grade level or levels of pupils to whom the examination  
40 was administered;

41 (c) The costs incurred by the school district or charter school in  
42 administering each examination; and

43 (d) The purpose, if any, for which the results of the examination  
44 are used by the school district or charter school.



1 ↪ On or before September 1 of each year, the Department shall  
2 transmit to the Budget Division of the Department of  
3 Administration and the Fiscal Analysis Division of the Legislative  
4 Counsel Bureau the information submitted to the Department  
5 pursuant to this subsection.

6 5. The superintendent of schools of each school district and the  
7 governing body of each charter school shall certify that the number  
8 of pupils who took the examinations is equal to the number of pupils  
9 who are enrolled in each school in the school district or in the  
10 charter school who are required to take the examinations.

11 6. In addition to the information required by subsection 4, the  
12 *State Superintendent [of Public Instruction] for Education* shall:

13 (a) Report the number of pupils who were not exempt from  
14 taking the examinations but were absent from school on the day that  
15 the examinations were administered; and

16 (b) Reconcile the number of pupils who were required to take  
17 the examinations with the number of pupils who were exempt from  
18 taking the examinations or absent from school on the day that the  
19 examinations were administered.

20 **Sec. 42.** NRS 389.570 is hereby amended to read as follows:

21 389.570 1. The ~~[Council]~~ *State Board* shall review the results  
22 of pupils on the examinations administered pursuant to NRS  
23 389.550, including, without limitation, for each school in a school  
24 district and each charter school that is located within a school  
25 district, a review of the results for the current school year and a  
26 comparison of the progress, if any, made by the pupils enrolled in  
27 the school from preceding school years.

28 2. After the completion of the review pursuant to subsection 1,  
29 the ~~[Council]~~ *State Board* shall evaluate:

30 (a) Whether the standards of content and performance  
31 established by the ~~[Council]~~ *State Board* require revision; and

32 (b) The success of pupils, as measured by the results of the  
33 examinations, in achieving the standards of performance established  
34 by the ~~[Council]~~ *State Board*.

35 3. The ~~[Council]~~ *State Board* shall report the results of the  
36 evaluation conducted pursuant to subsection 2 to the ~~[State Board  
37 and the]~~ Legislative Committee on Education.

38 **Sec. 43.** NRS 389.805 is hereby amended to read as follows:

39 389.805 1. A pupil must receive a standard high school  
40 diploma if he:

41 (a) Passes all subject areas of the high school proficiency  
42 examination administered pursuant to NRS 389.015 and otherwise  
43 satisfies the requirements for graduation from high school; or



1 (b) Has failed to pass the high school proficiency examination  
2 administered pursuant to NRS 389.015 in its entirety ~~[not less than~~  
3 ~~three times before beginning grade 12 and the pupil:]~~ **and:**

4 (1) Passes **at least two of** the subject areas ~~[of mathematics~~  
5 ~~and reading]~~ on the proficiency examination;

6 (2) Has an overall grade point average of not less than ~~[2.75]~~  
7 **2.0** on a 4.0 grading scale;

8 (3) Satisfies the alternative criteria prescribed by the State  
9 Board pursuant to subsection 3; and

10 (4) Otherwise satisfies the requirements for graduation from  
11 high school.

12 2. A pupil with a disability who does not satisfy the  
13 requirements for receipt of a standard high school diploma may  
14 receive a diploma designated as an adjusted diploma if he satisfies  
15 the requirements set forth in his individualized education program.  
16 As used in this subsection, "individualized education program" has  
17 the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

18 3. The State Board shall adopt regulations that prescribe the  
19 alternative criteria for a pupil to receive a standard high school  
20 diploma pursuant to paragraph (b) of subsection 1, including,  
21 without limitation:

- 22 (a) An essay;
- 23 (b) A senior project; or
- 24 (c) A portfolio of work,

25 ↪ or any combination thereof, that demonstrate proficiency in the  
26 subject areas on the high school proficiency examination which the  
27 pupil failed to pass.

28 **Sec. 44.** NRS 390.140 is hereby amended to read as follows:

29 390.140 1. The State Board shall make the final selection of  
30 all textbooks to be used in the public schools in this State, except for  
31 charter schools. If a textbook proposed for selection is in a subject  
32 area for which standards of content have been established by the  
33 ~~[Council to Establish Academic Standards for Public Schools]~~ **State**  
34 **Board** pursuant to NRS 389.520, the State Board shall not select the  
35 textbook unless the State Board determines that the textbook  
36 adequately supports the standards for that subject area.

37 2. A textbook must not be selected by the State Board pursuant  
38 to subsection 1 for use in the public schools in classes in literature,  
39 history or social sciences unless it accurately portrays the cultural  
40 and racial diversity of our society, including lessons on the  
41 contributions made to our society by men and women from various  
42 racial and ethnic backgrounds.



1       **Sec. 45.** Chapter 391 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 46 and 47 of this act.

3       **Sec. 46.** *The State Board may appoint an advisory committee*  
4 *composed of six members who are qualified and who represent the*  
5 *ethnic and geographic diversity of this State to advise the State*  
6 *Board in carrying out the provisions of this chapter. The advisory*  
7 *committee serves at the pleasure of the State Board and without*  
8 *compensation unless an appropriation or other money for that*  
9 *purpose is provided by the Legislature.*

10       **Sec. 47. 1.** *Within the limits of available money, the*  
11 *Department shall establish a program of performance pay for*  
12 *voluntary participation by licensed educational personnel and*  
13 *other school personnel of public schools that demonstrate*  
14 *improvement and exceptional performance.*

15       **2.** *The program must prescribe a formula for determining the*  
16 *classroom performance of each teacher who voluntarily*  
17 *participates in the program, which must give equal consideration*  
18 *to:*

19       **(a)** *The achievement and progress made by the pupils enrolled*  
20 *in the teacher's classroom, as measured by the model adopted*  
21 *pursuant to section 5 of this act; and*

22       **(b)** *The professional accomplishments of the teacher, as*  
23 *evidenced by:*

24       **(1)** *Evaluations of the teacher conducted in accordance*  
25 *with the policies adopted pursuant to NRS 391.3125;*

26       **(2)** *The participation of the teacher in professional*  
27 *development and other training;*

28       **(3)** *The results of peer reviews and parent satisfaction*  
29 *surveys concerning the school, if enough completed surveys are*  
30 *available to assess performance; and*

31       **(4)** *Any other measure of the professional accomplishments*  
32 *of the teacher deemed appropriate by the Department.*

33       **3.** *The program must prescribe a formula for determining the*  
34 *performance of each public school for purposes of awarding*  
35 *enhanced performance pay to other school personnel who*  
36 *voluntarily participate in the program and who are not teachers.*  
37 *The formula must give equal consideration to:*

38       **(a)** *The achievement and progress of pupils enrolled in the*  
39 *public school which is tracked from year to year to determine*  
40 *whether the school has made progress in the achievement of*  
41 *pupils, as measured by the model adopted pursuant to section 5 of*  
42 *this act; and*

43       **(b)** *The professional accomplishments of the school personnel,*  
44 *as evidenced by:*





1       (1) *The participation of the school personnel in*  
2 *development and training in their area of employment;*

3       (2) *The results of parent satisfaction surveys concerning*  
4 *the school, if enough completed surveys are available to assess the*  
5 *performance of the school; and*

6       (3) *Any other measure of the accomplishments of school*  
7 *personnel deemed appropriate by the Department.*

8       4. *The Department shall provide enhanced compensation to*  
9 *licensed educational personnel and other school personnel who*  
10 *voluntarily participate in the program and, as calculated pursuant to*  
11 *this section, are in the top quartile of progress in pupil*  
12 *achievement and professional accomplishment.*

13       **Sec. 48.** NRS 391.008 is hereby amended to read as follows:

14       391.008 1. ~~["Paraprofessional"]~~ *As used in this chapter,*  
15 *unless the context otherwise requires, "paraprofessional" means a*  
16 *person who is employed by and assigned by a school district or*  
17 *charter school to:*

18       (a) Provide one-on-one tutoring for a pupil;

19       (b) Assist with the management of a classroom, including,  
20 without limitation, organizing instructional materials;

21       (c) Provide assistance in a computer laboratory;

22       (d) Conduct parental involvement activities in conjunction with  
23 one or more duties set forth in this subsection;

24       (e) Provide support in a library or media center;

25       (f) Except as otherwise provided in subsection 2, provide  
26 services as a translator; or

27       (g) Provide instructional services to pupils under the direct  
28 supervision of a licensed teacher.

29       2. The term "paraprofessional" does not include a person who:

30       (a) Is proficient in the English language and a language other  
31 than English and who provides services as a translator primarily to  
32 enhance the participation of children in programs that are financially  
33 supported pursuant to the No Child Left Behind Act of 2001, 20  
34 U.S.C. §§ 6301 et seq.

35       (b) Solely conducts parental involvement activities.

36       **Sec. 49.** NRS 391.019 is hereby amended to read as follows:

37       391.019 1. ~~["Except as otherwise provided in NRS 391.027,~~  
38 ~~the Commission:"]~~ *The State Board:*

39       (a) Shall adopt regulations:

40       (1) Prescribing the qualifications for licensing teachers and  
41 other educational personnel, including, without limitation, the  
42 qualifications for a license to teach middle school or junior high  
43 school education, and the procedures for the issuance and renewal of  
44 those licenses.





1 (2) Identifying fields of specialization in teaching which  
2 require the specialized training of teachers.

3 (3) Except as otherwise provided in NRS 391.125, requiring  
4 teachers to obtain from the Department an endorsement in a field of  
5 specialization to be eligible to teach in that field of specialization.

6 (4) Setting forth the educational requirements a teacher must  
7 satisfy to qualify for an endorsement in each field of specialization.

8 (5) Setting forth the qualifications and requirements for  
9 obtaining a license or endorsement to teach American Sign  
10 Language, including, without limitation, being registered with the  
11 Office of Disability Services of the Department of Health and  
12 Human Services pursuant to NRS 656A.100 to engage in the  
13 practice of interpreting in an educational setting.

14 (6) Requiring teachers and other educational personnel to be  
15 registered with the Office of Disability Services pursuant to NRS  
16 656A.100 to engage in the practice of interpreting in an educational  
17 setting if they:

18 (I) Provide instruction or other educational services; and

19 (II) Concurrently engage in the practice of interpreting, as  
20 defined in NRS 656A.060.

21 (7) Providing for the issuance and renewal of a special  
22 qualifications license to an applicant who holds a master's degree or  
23 a doctoral degree from an accredited degree-granting postsecondary  
24 educational institution in a field for which the applicant will provide  
25 instruction in a classroom and who has:

26 (I) At least 2 years of experience teaching at an accredited  
27 degree-granting postsecondary educational institution in a field for  
28 which the applicant will provide instruction in a classroom and at  
29 least 3 years of experience working in that field; or

30 (II) At least 5 years of experience working in a field for  
31 which the applicant will provide instruction in a classroom.

32 (8) Requiring an applicant for a special qualifications license  
33 to:

34 (I) Pass each examination required by NRS 391.021 for  
35 the specific subject or subjects in which the applicant will provide  
36 instruction; or

37 (II) Hold a valid license issued by a professional licensing  
38 board of any state that is directly related to the subject area of the  
39 master's degree or doctoral degree held by the applicant.

40 (9) Setting forth the subject areas that may be taught by a  
41 person who holds a special qualifications license, based upon the  
42 subject area of the master's degree or doctoral degree held by that  
43 person.

44 (10) Providing for the issuance and renewal of a special  
45 qualifications license to an applicant who:



1 (I) Holds a graduate degree from an accredited college or  
2 university in the field for which he will be providing instruction;

3 (II) Is not licensed to teach public school in another state;

4 (III) Has at least 5 years of experience teaching with  
5 satisfactory evaluations at a school that is accredited by a national or  
6 regional accrediting agency recognized by the United States  
7 Department of Education; and

8 (IV) Submits proof of participation in a program of  
9 student teaching or mentoring or agrees to participate in a program  
10 of mentoring for the first year of his employment as a teacher with a  
11 school district or charter school.

12 ➔ An applicant for licensure pursuant to this subparagraph is  
13 exempt from each examination required by NRS 391.021 if the  
14 applicant successfully passed the examination in another state.

15 (11) If the ~~[Commission]~~ *State Board* approves the Passport  
16 to Teaching certification from the American Board for Certification  
17 of Teacher Excellence as an alternative route to licensure, providing  
18 for the issuance and renewal of a special qualifications license to an  
19 applicant who:

20 (I) Holds a Passport to Teaching certification from the  
21 American Board for Certification of Teacher Excellence;

22 (II) Passes each examination required by NRS 391.021  
23 for the specific subject or subjects in which the applicant will  
24 provide instruction; and

25 (III) Agrees to participate in a program of mentoring  
26 prescribed by the ~~[Commission]~~ *State Board* for the first year of his  
27 employment as a teacher with a school district or charter school.

28 (b) May adopt such other regulations as it deems necessary for  
29 its own government or to carry out its duties.

30 2. Any regulation which increases the amount of education,  
31 training or experience required for licensing:

32 (a) Must, in addition to the requirements for publication in  
33 chapter 233B of NRS, be publicized before its adoption in a manner  
34 reasonably calculated to inform those persons affected by the  
35 change.

36 (b) Must not become effective until at least 1 year after the date  
37 it is adopted by the ~~[Commission]~~ *State Board*.

38 (c) Is not applicable to a license in effect on the date the  
39 regulation becomes effective.

40 3. A person who is licensed pursuant to subparagraph (7), (10)  
41 or (11) of paragraph (a) of subsection 1:

42 (a) Shall comply with all applicable statutes and regulations.

43 (b) Except as otherwise provided by specific statute, is entitled  
44 to all benefits, rights and privileges conferred by statutes and  
45 regulations on licensed teachers.



1 (c) Except as otherwise provided by specific statute, if he is  
2 employed as a teacher by the board of trustees of a school district or  
3 the governing body of a charter school, is entitled to all benefits,  
4 rights and privileges conferred by statutes and regulations on the  
5 licensed employees of a school district or charter school, as  
6 applicable.

7 **Sec. 50.** NRS 391.019 is hereby amended to read as follows:

8 391.019 1. ~~Except as otherwise provided in NRS 391.027,~~  
9 ~~the Commission:]~~ *The State Board:*

10 (a) Shall adopt regulations:

11 (1) Prescribing the qualifications for licensing teachers and  
12 other educational personnel, including, without limitation, the  
13 qualifications for a license to teach middle school or junior high  
14 school education, and the procedures for the issuance and renewal of  
15 those licenses.

16 (2) Identifying fields of specialization in teaching which  
17 require the specialized training of teachers.

18 (3) Except as otherwise provided in NRS 391.125, requiring  
19 teachers to obtain from the Department an endorsement in a field of  
20 specialization to be eligible to teach in that field of specialization.

21 (4) Setting forth the educational requirements a teacher must  
22 satisfy to qualify for an endorsement in each field of specialization.

23 (5) Setting forth the qualifications and requirements for  
24 obtaining a license or endorsement to teach American Sign  
25 Language, including, without limitation, being registered with the  
26 Office of Disability Services of the Department of Health and  
27 Human Services pursuant to NRS 656A.100 to engage in the  
28 practice of interpreting in an educational setting.

29 (6) Requiring teachers and other educational personnel to be  
30 registered with the Office of Disability Services pursuant to NRS  
31 656A.100 to engage in the practice of interpreting in an educational  
32 setting if they:

33 (I) Provide instruction or other educational services; and

34 (II) Concurrently engage in the practice of interpreting, as  
35 defined in NRS 656A.060.

36 (7) Providing for the issuance and renewal of a special  
37 qualifications license to an applicant who holds a master's degree or  
38 a doctoral degree from an accredited degree-granting postsecondary  
39 educational institution in a field for which the applicant will provide  
40 instruction in a classroom and who has:

41 (I) At least 2 years of experience teaching at an accredited  
42 degree-granting postsecondary educational institution in a field for  
43 which the applicant will provide instruction in a classroom and at  
44 least 3 years of experience working in that field; or



1 (II) At least 5 years of experience working in a field for  
2 which the applicant will provide instruction in a classroom.

3 (8) Requiring an applicant for a special qualifications license  
4 to:

5 (I) Pass each examination required by NRS 391.021 for  
6 the specific subject or subjects in which the applicant will provide  
7 instruction; or

8 (II) Hold a valid license issued by a professional licensing  
9 board of any state that is directly related to the subject area of the  
10 master's degree or doctoral degree held by the applicant.

11 (9) Setting forth the subject areas that may be taught by a  
12 person who holds a special qualifications license, based upon the  
13 subject area of the master's degree or doctoral degree held by that  
14 person.

15 (10) Providing for the issuance and renewal of a special  
16 qualifications license to an applicant who:

17 (I) Holds a graduate degree from an accredited college or  
18 university in the field for which he will be providing instruction;

19 (II) Is not licensed to teach public school in another state;

20 (III) Has at least 5 years of experience teaching with  
21 satisfactory evaluations at a school that is accredited by a national or  
22 regional accrediting agency recognized by the United States  
23 Department of Education; and

24 (IV) Submits proof of participation in a program of  
25 student teaching or mentoring or agrees to participate in a program  
26 of mentoring for the first year of his employment as a teacher with a  
27 school district or charter school.

28 ➔ An applicant for licensure pursuant to this subparagraph is  
29 exempt from each examination required by NRS 391.021 if the  
30 applicant successfully passed the examination in another state.

31 (b) May adopt such other regulations as it deems necessary for  
32 its own government or to carry out its duties.

33 2. Any regulation which increases the amount of education,  
34 training or experience required for licensing:

35 (a) Must, in addition to the requirements for publication in  
36 chapter 233B of NRS, be publicized before its adoption in a manner  
37 reasonably calculated to inform those persons affected by the  
38 change.

39 (b) Must not become effective until at least 1 year after the date  
40 it is adopted by the ~~Commission~~ *State Board*.

41 (c) Is not applicable to a license in effect on the date the  
42 regulation becomes effective.

43 3. A person who is licensed pursuant to subparagraph (7) or  
44 (10) of paragraph (a) of subsection 1:

45 (a) Shall comply with all applicable statutes and regulations.



1 (b) Except as otherwise provided by specific statute, is entitled  
2 to all benefits, rights and privileges conferred by statutes and  
3 regulations on licensed teachers.

4 (c) Except as otherwise provided by specific statute, if he is  
5 employed as a teacher by the board of trustees of a school district or  
6 the governing body of a charter school, is entitled to all benefits,  
7 rights and privileges conferred by statutes and regulations on the  
8 licensed employees of a school district or charter school, as  
9 applicable.

10 **Sec. 51.** NRS 391.021 is hereby amended to read as follows:

11 391.021 Except as otherwise provided in subparagraph (10) of  
12 paragraph (a) of subsection 1 of NRS 391.019 ~~{and NRS 391.027,~~  
13 ~~the Commission}~~ , *the State Board* shall adopt regulations  
14 governing examinations for the initial licensing of teachers and  
15 other educational personnel. The examinations must test the ability  
16 of the applicant to teach and his knowledge of each specific subject  
17 he proposes to teach. Each examination must include the following  
18 subjects:

- 19 1. The laws of Nevada relating to schools;
- 20 2. The Constitution of the State of Nevada; and
- 21 3. The Constitution of the United States.

22 ➔ The provisions of this section do not prohibit the ~~{Commission}~~  
23 *State Board* from adopting regulations pursuant to subsection 2 of  
24 NRS 391.032 that provide an exemption from the examinations for  
25 teachers and other educational personnel who have previous  
26 experience in teaching or performing other educational functions in  
27 another state.

28 **Sec. 52.** NRS 391.023 is hereby amended to read as follows:

29 391.023 The ~~{Commission}~~ *State Board* may adopt regulations  
30 which provide relief from the strict application of the terms of its  
31 regulations relating to the licensure of teachers and other  
32 educational personnel for the resolution of medical or administrative  
33 conflicts. The conflicts must be resolved within 6 months after the  
34 date the relief is granted.

35 **Sec. 53.** NRS 391.031 is hereby amended to read as follows:

36 391.031 There are the following kinds of licenses for teachers  
37 and other educational personnel in this State:

38 1. A license to teach elementary education, which authorizes  
39 the holder to teach in any elementary school in the State.

40 2. A license to teach middle school or junior high school  
41 education, which authorizes the holder to teach in his major or  
42 minor field of preparation or in both fields in grades 7, 8 and 9 at  
43 any middle school or junior high school. He may teach only in these  
44 fields unless an exception is approved pursuant to regulations  
45 adopted by the ~~{Commission}~~ *State Board*.



1 3. A license to teach secondary education, which authorizes the  
2 holder to teach in his major or minor field of preparation or in both  
3 fields in any secondary school. He may teach only in these fields  
4 unless an exception is approved pursuant to regulations adopted by  
5 the ~~{Commission.}~~ *State Board*.

6 4. A special license, which authorizes the holder to teach or  
7 perform other educational functions in a school or program as  
8 designated in the license.

9 5. A special license designated as a special qualifications  
10 license, which authorizes the holder to teach only in the grades and  
11 subject areas designated in the license. A special qualifications  
12 license is valid for 3 years and may be renewed in accordance with  
13 the applicable regulations of the ~~{Commission.}~~ *State Board* adopted  
14 pursuant to subparagraph (7), (10) or (11) of paragraph (a) of  
15 subsection 1 of NRS 391.019.

16 **Sec. 54.** NRS 391.031 is hereby amended to read as follows:

17 391.031 There are the following kinds of licenses for teachers  
18 and other educational personnel in this State:

19 1. A license to teach elementary education, which authorizes  
20 the holder to teach in any elementary school in the State.

21 2. A license to teach middle school or junior high school  
22 education, which authorizes the holder to teach in his major or  
23 minor field of preparation or in both fields in grades 7, 8 and 9 at  
24 any middle school or junior high school. He may teach only in these  
25 fields unless an exception is approved pursuant to regulations  
26 adopted by the ~~{Commission.}~~ *State Board*.

27 3. A license to teach secondary education, which authorizes the  
28 holder to teach in his major or minor field of preparation or in both  
29 fields in any secondary school. He may teach only in these fields  
30 unless an exception is approved pursuant to regulations adopted by  
31 the ~~{Commission.}~~ *State Board*.

32 4. A special license, which authorizes the holder to teach or  
33 perform other educational functions in a school or program as  
34 designated in the license.

35 5. A special license designated as a special qualifications  
36 license, which authorizes the holder to teach only in the grades and  
37 subject areas designated in the license. A special qualifications  
38 license is valid for 3 years and may be renewed in accordance with  
39 the applicable regulations of the ~~{Commission.}~~ *State Board* adopted  
40 pursuant to subparagraph (7) or (10) of paragraph (a) of subsection 1  
41 of NRS 391.019.

42 **Sec. 55.** NRS 391.032 is hereby amended to read as follows:

43 391.032 1. ~~{Except as otherwise provided in NRS 391.027,~~  
44 ~~the Commission.}~~ *The State Board* shall:



1 (a) Consider and may adopt regulations which provide for the  
2 issuance of conditional licenses to teachers and other educational  
3 personnel before completion of all courses of study or other  
4 requirements for a license in this State.

5 (b) Adopt regulations which provide for the reciprocal licensure  
6 of educational personnel from other states.

7 2. The regulations adopted pursuant to paragraph (b) of  
8 subsection 1 may provide an exemption from the examinations  
9 required for initial licensure for teachers and other educational  
10 personnel who have previous experience in teaching or performing  
11 other educational functions in another state. If the ~~{Commission}~~  
12 *State Board* adopts regulations providing such an exemption, the  
13 ~~{Commission}~~ *State Board* shall identify the examinations to which  
14 the exemption applies.

15 3. A person who is issued a conditional license must complete  
16 all courses of study and other requirements for a license in this State  
17 which is not conditional within 3 years after the date on which a  
18 conditional license is issued.

19 **Sec. 56.** NRS 391.033 is hereby amended to read as follows:

20 391.033 1. All licenses for teachers and other educational  
21 personnel are granted by the *State* Superintendent ~~{of Public~~  
22 ~~Instruction}~~ *for Education* pursuant to regulations adopted by the  
23 ~~{Commission}~~ *State Board* and as otherwise provided by law.

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

26 3. Every applicant for a license must submit with his  
27 application a complete set of his fingerprints and written permission  
28 authorizing the Superintendent to forward the fingerprints to the  
29 Central Repository for Nevada Records of Criminal History for its  
30 report on the criminal history of the applicant and for submission to  
31 the Federal Bureau of Investigation for its report on the criminal  
32 history of the applicant.

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

37 5. A license must be issued to an applicant if:

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

40 (b) The reports on the criminal history of the applicant from the  
41 Federal Bureau of Investigation and the Central Repository for  
42 Nevada Records of Criminal History:

43 (1) Do not indicate that the applicant has been convicted of a  
44 felony or any offense involving moral turpitude; or





1 (2) Indicate that the applicant has been convicted of a felony  
2 or an offense involving moral turpitude but the Superintendent  
3 determines that the conviction is unrelated to the position within the  
4 county school district or charter school for which the applicant  
5 applied; and

6 (c) The applicant submits the statement required pursuant to  
7 NRS 391.034.

8 **Sec. 57.** NRS 391.038 is hereby amended to read as follows:

9 391.038 1. The State Board, in consultation with educational  
10 institutions in this State which offer courses of study and training  
11 for the education of teachers, the board of trustees of each school  
12 district in this State and other educational personnel, shall review  
13 and evaluate a course of study and training offered by an  
14 educational institution which is designed to provide the education  
15 required for:

16 (a) The licensure of teachers or other educational personnel;

17 (b) The renewal of licenses of teachers or other educational  
18 personnel; or

19 (c) An endorsement in a field of specialization.

20 ➔ If the course of study and training meets the requirements  
21 established by the State Board, it must be approved by the State  
22 Board. The State Board shall not approve a course of study or  
23 training unless the course of study and training provides instruction,  
24 to the extent deemed necessary by the State Board, in the standards  
25 of content and performance prescribed by the ~~Council to Establish~~  
26 ~~Academic Standards for Public Schools~~ *State Board* pursuant to  
27 NRS 389.520.

28 2. The State Board may review and evaluate such courses of  
29 study and training itself or may recognize a course of study and  
30 training approved by a national agency for accreditation acceptable  
31 to the Board.

32 3. The State Board shall adopt regulations establishing fees for  
33 the review by the Board of a course of study and training submitted  
34 to the Board by an educational institution.

35 4. The State Board, in consultation with educational  
36 institutions in this State which offer courses of study and training  
37 for the education of teachers and other educational personnel, and  
38 the Nevada Association of Colleges for Teacher Education and the  
39 Nevada Association of Teacher Educators, shall adopt regulations  
40 governing the approval by the State Board of courses of study and  
41 training which are accredited by the National Council for  
42 Accreditation of Teacher Education, and those which are not so  
43 accredited.



1 5. If the State Board denies or withdraws its approval of a  
2 course of study or training, the educational institution is entitled to a  
3 hearing and judicial review of the decision of the State Board.

4 **Sec. 58.** NRS 391.160 is hereby amended to read as follows:

5 391.160 1. The salaries of teachers and other employees must  
6 be determined by the character of the service required. A school  
7 district shall not discriminate between male and female employees  
8 in the matter of salary.

9 2. *The board of trustees of each school district shall adjust*  
10 *the schedule of salaries of the school district to ensure that the*  
11 *starting salary of each licensed teacher who is initially hired by*  
12 *the school district on or after July 1, 2010, is at least \$40,000*  
13 *annually. For the purposes of this subsection, a person is not*  
14 *“initially hired” if he has been employed as a licensed teacher by*  
15 *another school district or charter school in this State without an*  
16 *interruption in employment before the date of hire by his current*  
17 *employer.*

18 3. Each year when determining the salary of a teacher who  
19 holds certification issued by the National Board for Professional  
20 Teaching Standards, a school district shall add 5 percent to the  
21 salary that the teacher would otherwise receive in 1 year for his  
22 classification on the schedule of salaries for the school district if:

23 (a) On or before January 31 of the school year, the teacher has  
24 submitted evidence satisfactory to the school district of his current  
25 certification; and

26 (b) The teacher is assigned by the school district to provide  
27 classroom instruction during that school year.

28 ➔ No increase in salary may be given pursuant to this subsection  
29 during a particular school year to a teacher who submits evidence of  
30 certification after January 31 of that school year. For the first school  
31 year that a teacher submits evidence of his current certification, the  
32 board of trustees of the school district to whom the evidence was  
33 submitted shall pay the increase in salary required by this subsection  
34 retroactively to the beginning of that school year. Once a teacher has  
35 submitted evidence of such certification to the school district, the  
36 school district shall retain the evidence in its records, as applicable,  
37 for future school years. An increase in salary given in accordance  
38 with this subsection is in addition to any other increase to which the  
39 teacher may otherwise be entitled.

40 ~~3.~~ 4. Each year when determining the salary of a person who  
41 is employed by a school district as a speech pathologist, the school  
42 district shall add 5 percent to the salary that the employee would  
43 otherwise receive in 1 year for his classification on the schedule of  
44 salaries for the school district if:



1 (a) On or before September 15 of the school year, the employee  
2 has submitted evidence satisfactory to the school district of his:

3 (1) Licensure as a speech pathologist by the Board of  
4 Examiners for Audiology and Speech Pathology; and

5 (2) Certification as being clinically competent in speech-  
6 language pathology by:

7 (I) The American Speech-Language-Hearing Association;  
8 or

9 (II) A successor organization to the American Speech-  
10 Language-Hearing Association that is recognized and determined to  
11 be acceptable by the Board of Examiners for Audiology and Speech  
12 Pathology; and

13 (b) The employee is assigned by the school district to serve as a  
14 speech pathologist during the school year.

15 ➤ No increase in salary may be given pursuant to this subsection  
16 during a particular school year to an employee who submits  
17 evidence of licensure and certification after September 15 of that  
18 school year. Once an employee has submitted evidence of such  
19 licensure and certification to the school district, the school district  
20 shall retain the evidence in its records, as applicable, for future  
21 school years. An increase in salary given in accordance with this  
22 subsection is in addition to any other increase to which the  
23 employee may otherwise be entitled.

24 ~~[4-]~~ 5. Each year when determining the salary of a person who  
25 is employed by a school district as a professional school library  
26 media specialist, the school district shall add 5 percent to the salary  
27 that the employee would otherwise receive in 1 year for his  
28 classification on the schedule of salaries of the school district if:

29 (a) On or before September 15 of the school year, the employee  
30 has submitted evidence satisfactory to the school district of his  
31 current certification as a professional school library media specialist  
32 issued by the National Board for Professional Teaching Standards;  
33 and

34 (b) The employee is assigned by the school district to serve as a  
35 professional school library media specialist during that school year.

36 ➤ No increase in salary may be given pursuant to this subsection  
37 during a particular school year to an employee who submits  
38 evidence of certification after September 15 of that school year.  
39 Once an employee has submitted evidence of such certification to  
40 the school district, the school district shall retain the evidence in its  
41 records, as applicable, for future school years. An increase in salary  
42 given in accordance with this subsection is in addition to any other  
43 increase to which the employee may otherwise be entitled.

44 ~~[5-]~~ 6. In determining the salary of a licensed teacher who is  
45 employed by a school district after the teacher has been employed



1 by another school district in this State, the present employer shall,  
2 except as otherwise provided in subsection ~~[8-] 9~~:

3 (a) Give the teacher the same credit for previous teaching  
4 service as he was receiving from his former employer at the end of  
5 his former employment;

6 (b) Give the teacher credit for his final year of service with his  
7 former employer, if credit for that service is not included in credit  
8 given pursuant to paragraph (a); and

9 (c) Place the teacher on the schedule of salaries of the school  
10 district in a classification that is commensurate with the level of  
11 education acquired by the teacher, as set forth in the applicable  
12 negotiated agreement with the present employer.

13 ~~[6-] 7~~. A school district may give the credit required by  
14 subsection ~~[5] 6~~ for previous teaching service earned in another state  
15 if the ~~[Commission]~~ *State Board* has approved the standards for  
16 licensing teachers of that state. The ~~[Commission]~~ *State Board* shall  
17 adopt regulations that establish the criteria by which the  
18 ~~[Commission]~~ *State Board* will consider the standards for licensing  
19 teachers of other states for the purposes of this subsection. The  
20 criteria may include, without limitation, whether the ~~[Commission]~~  
21 *State Board* has authorized reciprocal licensure of educational  
22 personnel from the state under consideration.

23 ~~[7-] 8~~. In determining the salary of a licensed administrator,  
24 other than the superintendent of schools, who is employed by a  
25 school district after the administrator has been employed by another  
26 school district in this State, the present employer shall, except as  
27 otherwise provided in subsection ~~[8-] 9~~:

28 (a) Give the administrator the same credit for previous  
29 administrative service as he was receiving from his former  
30 employer, at the end of his former employment;

31 (b) Give the administrator credit for his final year of service  
32 with his former employer, if credit for that service is not otherwise  
33 included in the credit given pursuant to paragraph (a); and

34 (c) Place the administrator on the schedule of salaries of the  
35 school district in a classification that is comparable to the  
36 classification the administrator had attained on the schedule of  
37 salaries of his former employer.

38 ~~[8-] 9~~. This section does not:

39 (a) Require a school district to allow a teacher or administrator  
40 more credit for previous teaching or administrative service than the  
41 maximum credit for teaching or administrative experience provided  
42 for in the schedule of salaries established by it for its licensed  
43 personnel.

44 (b) Permit a school district to deny a teacher or administrator  
45 credit for his previous teaching or administrative service on the



1 ground that the service differs in kind from the teaching or  
2 administrative experience for which credit is otherwise given by the  
3 school district.

4 ~~[9.]~~ **10.** As used in this section:

5 (a) "Previous administrative service" means the total of:

6 (1) Any period of administrative service for which an  
7 administrator received credit from his former employer at the  
8 beginning of his former employment; and

9 (2) His period of administrative service in his former  
10 employment.

11 (b) "Previous teaching service" means the total of:

12 (1) Any period of teaching service for which a teacher  
13 received credit from his former employer at the beginning of his  
14 former employment; and

15 (2) His period of teaching service in his former employment.

16 **Sec. 59.** NRS 391.504 is hereby amended to read as follows:

17 391.504 ~~[“Regional] As used in NRS 391.504 to 391.556,~~  
18 *inclusive, unless the context otherwise requires, “regional training*  
19 *program” means a regional training program for the professional*  
20 *development of teachers and administrators created pursuant to*  
21 *NRS 391.512.*

22 **Sec. 60.** NRS 391.520 is hereby amended to read as follows:

23 391.520 1. The ~~[Statewide Council shall meet not less than~~  
24 ~~four times per year.~~

25 ~~—2.— The Statewide Council shall:~~

26 ~~—(a) Adopt] State Board, in consultation with the Division of~~  
27 *Innovation, Research and Professional Development of the*  
28 *Department, shall adopt* uniform standards for use by the governing  
29 body of each regional training program in the review and approval  
30 by the governing body of the training to be provided by the regional  
31 training program pursuant to NRS 391.540 and 391.544. The  
32 standards must ensure that the training provided by the regional  
33 training programs includes activities set forth in 20 U.S.C. §  
34 7801(34), as appropriate for the type of training offered, is of high  
35 quality and is effective in addressing the training programs specified  
36 in subsection 1 of NRS 391.544.

37 ~~[(b)]~~ **2.** *The Division of Innovation, Research and*  
38 *Professional Development shall:*

39 (a) Coordinate the dissemination of information to school  
40 districts, administrators and teachers concerning the training,  
41 programs and services provided by the regional training programs.

42 ~~[(e)]~~ (b) Disseminate information to the regional training  
43 programs concerning innovative and effective methods to provide  
44 professional development.



1 ~~[(d)]~~ (c) Conduct long-range planning concerning the  
2 professional development needs of teachers and administrators  
3 employed in this state.

4 ~~[(e)]~~ (d) Adopt uniform procedures for use by the governing  
5 body of each regional training program to report the evaluation  
6 conducted pursuant to NRS 391.552.

7 3. The ~~[(Statewide Council)]~~ *Division of Innovation, Research*  
8 *and Professional Development* may:

9 (a) Accept gifts and grants from any source for use by the  
10 ~~[(Statewide Council)]~~ *Division* in carrying out its duties pursuant to  
11 this section and accept gifts and grants from any source on behalf of  
12 one or more regional training programs to assist with the training  
13 provided pursuant to NRS 391.544; and

14 (b) Comply with applicable federal laws and regulations  
15 governing the provision of federal grants to assist the ~~[(Statewide~~  
16 ~~Council)]~~ *Division* in carrying out its duties pursuant to this section  
17 and comply with applicable federal laws and regulations governing  
18 the provision of federal grants to assist with the training provided  
19 pursuant to NRS 391.544, including, without limitation, providing  
20 money from the budget of the ~~[(Statewide Council)]~~ *Division* to  
21 match the money received from a federal grant.

22 4. *The State Board may appoint an advisory committee*  
23 *composed of six members who are qualified and who represent the*  
24 *regional training programs and educational personnel to advise*  
25 *the State Board and the Division of Innovation, Research and*  
26 *Professional Development in carrying out the provisions of NRS*  
27 *391.504 to 391.556, inclusive. The advisory committee serves at*  
28 *the pleasure of the State Board and without compensation unless*  
29 *an appropriation or other money for that purpose is provided by*  
30 *the Legislature.*

31 **Sec. 61.** NRS 391.532 is hereby amended to read as follows:

32 391.532 1. The governing body of each regional training  
33 program shall:

34 (a) Employ or otherwise contract with a coordinator of the  
35 program, who serves at the pleasure of the governing body.

36 (b) Set the salary or other compensation of the coordinator.

37 2. The coordinator of each regional training program shall:

38 (a) ~~[(Serve on the Statewide Council);~~

39 ~~—(b)]~~ Assist in the evaluation of the regional training program, as  
40 directed by the governing body; and

41 ~~[(e)]~~ (b) Perform such other duties as directed by the governing  
42 body.

43 **Sec. 62.** NRS 391.544 is hereby amended to read as follows:

44 391.544 1. Based upon the assessment of needs for training  
45 within the region and priorities of training adopted by the governing



1 body pursuant to NRS 391.540, each regional training program must  
2 provide:

3 (a) Training for teachers in the standards established by the  
4 ~~[Council to Establish Academic Standards for Public Schools]~~ *State*  
5 *Board* pursuant to NRS 389.520.

6 (b) Through the Nevada Early Literacy Intervention Program  
7 established for the regional training program, training for teachers  
8 who teach kindergarten and grades 1, 2 or 3 on methods to teach  
9 fundamental reading skills, including, without limitation:

- 10 (1) Phonemic awareness;
- 11 (2) Phonics;
- 12 (3) Vocabulary;
- 13 (4) Fluency;
- 14 (5) Comprehension; and
- 15 (6) Motivation.

16 (c) At least one of the following types of training:

17 (1) Training for teachers and school administrators in the  
18 assessment and measurement of pupil achievement and the effective  
19 methods to analyze the test results and scores of pupils to improve  
20 the achievement and proficiency of pupils.

21 (2) Training for teachers in specific content areas to enable  
22 the teachers to provide a higher level of instruction in their  
23 respective fields of teaching. Such training must include instruction  
24 in effective methods to teach in a content area provided by teachers  
25 who are considered masters in that content area.

26 (3) In addition to the training provided pursuant to paragraph  
27 (b) of subsection 1, training for teachers in the methods to teach  
28 basic skills to pupils, such as providing instruction in reading with  
29 the use of phonics and providing instruction in basic skills of  
30 mathematics computation.

31 2. The training required pursuant to subsection 1 must:

32 (a) Include the activities set forth in 20 U.S.C. § 7801(34), as  
33 deemed appropriate by the governing body for the type of training  
34 offered.

35 (b) Include appropriate procedures to ensure follow-up training  
36 for teachers and administrators who have received training through  
37 the program.

38 (c) Incorporate training that addresses the educational needs of:

39 (1) Pupils with disabilities who participate in programs of  
40 special education; and

41 (2) Pupils who are limited English proficient.

42 3. The governing body of each regional training program shall  
43 prepare and maintain a list that identifies programs for the  
44 professional development of teachers and administrators that  
45 successfully incorporate:





1 (a) The standards of content and performance established by the  
2 ~~[Council to Establish Academic Standards for Public Schools]~~ *State*  
3 *Board* pursuant to NRS 389.520;

4 (b) Fundamental reading skills; and

5 (c) Other training listed in subsection 1.

6 ➔ The governing body shall provide a copy of the list on an annual  
7 basis to school districts for dissemination to teachers and  
8 administrators.

9 4. A regional training program may include model classrooms  
10 that demonstrate the use of educational technology for teaching and  
11 learning.

12 5. A regional training program may contract with the board of  
13 trustees of a school district that is served by the regional training  
14 program as set forth in NRS 391.512 to provide professional  
15 development to the teachers and administrators employed by the  
16 school district that is in addition to the training required by this  
17 section. Any training provided pursuant to this subsection must  
18 include the activities set forth in 20 U.S.C. § 7801(34), as deemed  
19 appropriate by the governing body for the type of training offered.

20 6. To the extent money is available from legislative  
21 appropriation or otherwise, a regional training program may provide  
22 training to paraprofessionals.

23 **Sec. 63.** NRS 391.552 is hereby amended to read as follows:

24 391.552 The governing body of each regional training program  
25 shall:

26 1. Establish a method for the evaluation of the success of the  
27 regional training program, including, without limitation, the Nevada  
28 Early Literacy Intervention Program. The method must be consistent  
29 with the uniform procedures adopted by the ~~[Statewide Council]~~  
30 *Division of Innovation, Research and Professional Development*  
31 *of the Department* pursuant to NRS 391.520.

32 2. On or before September 1 of each year, submit an annual  
33 report to the State Board, ~~[the Commission,]~~ the Legislative  
34 Committee on Education and the Legislative Bureau of Educational  
35 Accountability and Program Evaluation that includes:

36 (a) The priorities for training adopted by the governing body  
37 pursuant to NRS 391.540.

38 (b) The type of training offered through the program in the  
39 immediately preceding year.

40 (c) The number of teachers and administrators who received  
41 training through the program in the immediately preceding year.

42 (d) The number of paraprofessionals, if any, who received  
43 training through the program in the immediately preceding year.



1 (e) An evaluation of the success of the program, including,  
2 without limitation, the Nevada Early Literacy Intervention Program,  
3 in accordance with the method established pursuant to subsection 1.

4 (f) A description of the gifts and grants, if any, received by the  
5 governing body in the immediately preceding year and the gifts and  
6 grants, if any, received by the ~~[Statewide Council]~~ *Division of*  
7 *Innovation, Research and Professional Development* during the  
8 immediately preceding year on behalf of the regional training  
9 program. The description must include the manner in which the gifts  
10 and grants were expended.

11 (g) The 5-year plan for the program prepared pursuant to NRS  
12 391.540 and any revisions to the plan made by the governing body  
13 in the immediately preceding year.

14 **Sec. 64.** NRS 391.556 is hereby amended to read as follows:

15 391.556 The board of trustees of each school district shall  
16 submit an annual report to the State Board, ~~[the Commission,]~~ the  
17 Legislative Committee on Education and the Legislative Bureau of  
18 Educational Accountability and Program Evaluation that includes  
19 for the immediately preceding year:

20 1. The number of teachers and administrators employed by the  
21 school district who received training through the program; and

22 2. An evaluation of whether that training included the  
23 standards of content and performance established by the ~~[Council to~~  
24 ~~Establish Academic Standards for Public Schools]~~ *State Board*  
25 pursuant to NRS 389.520.

26 **Sec. 65.** NRS 396.5195 is hereby amended to read as follows:

27 396.5195 The Board of Regents shall, in cooperation with the  
28 State Board, ~~[and the Council to Establish Academic Standards for~~  
29 ~~Public Schools,]~~ ensure that students enrolled in a program  
30 developed by the System for the education of teachers are provided  
31 instruction regarding the standards of content and performance  
32 required of pupils enrolled in high schools in this State.

33 **Sec. 66.** NRS 400.035 is hereby amended to read as follows:

34 400.035 1. The Council shall meet at least once each calendar  
35 quarter and as frequently as necessary to afford the general public,  
36 representatives of governmental agencies and representatives of  
37 organizations an opportunity to present information and  
38 recommendations relating to the coordination between elementary,  
39 secondary and postsecondary education, including, without  
40 limitation, the Nevada Youth Legislative Issues Forum created by  
41 NRS 385.515 . ~~[and the Advisory Council on Parental Involvement~~  
42 ~~established by NRS 385.610.]~~

43 2. The Council shall comply with the provisions of chapter 241  
44 of NRS.



1 3. For each day or portion of a day during which the members  
2 of the Council attend a meeting of the Council or are otherwise  
3 engaged in the business of the Council:

4 (a) The members who are Legislators are entitled to receive the  
5 compensation provided for a majority of the members of the  
6 Legislature during the first 60 days of the preceding regular session  
7 plus the per diem allowance provided for state officers and  
8 employees generally and the travel expenses provided pursuant to  
9 NRS 218.2207, payable from the Legislative Fund.

10 (b) The members who are appointed by the Majority Leader of  
11 the Senate, the Speaker of the Assembly, the Minority Leader of the  
12 Senate and the Minority Leader of the Assembly who are not  
13 Legislators are entitled to receive the per diem allowance and travel  
14 expenses provided for state officers and employees generally,  
15 payable from the Legislative Fund.

16 (c) The members who are appointed by the Governor are  
17 entitled to receive the per diem allowance and travel expenses  
18 provided for state officers and employees generally, payable as  
19 other claims against the State are paid.

20 4. The Office of the Governor shall provide:

21 (a) Administrative support;

22 (b) Equipment; and

23 (c) Office space,

24 ↪ as is necessary for the Council to carry out its duties.

25 5. The Board of Regents of the University of Nevada and the  
26 Department shall provide technical assistance to the Council upon  
27 the request of the Chairman.

28 **Sec. 67.** NRS 218.5354 is hereby amended to read as follows:

29 218.5354 1. The Committee may:

30 (a) Evaluate, review and comment upon issues related to  
31 education within this State, including, but not limited to:

32 (1) Programs to enhance accountability in education;

33 (2) Legislative measures regarding education;

34 (3) The progress made by this State, the school districts and  
35 the public schools in this State in satisfying the goals and objectives  
36 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301  
37 et seq., ~~and~~ the annual measurable objectives established by the  
38 State Board of Education pursuant to NRS 385.361 ~~and~~, *the defined*  
39 *goals and benchmarks and the measurable outcomes established*  
40 *by the State Board of Education pursuant to section 9 of this act;*

41 (4) Methods of financing public education;

42 (5) The condition of public education in the elementary and  
43 secondary schools;

44 (6) The program to reduce the ratio of pupils per class per  
45 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;



1 (7) The development of any programs to automate the  
2 receipt, storage and retrieval of the educational records of pupils;  
3 and

4 (8) Any other matters that, in the determination of the  
5 Committee, affect the education of pupils within this State.

6 (b) Conduct investigations and hold hearings in connection with  
7 its duties pursuant to this section.

8 (c) Request that the Legislative Counsel Bureau assist in the  
9 research, investigations, hearings and reviews of the Committee.

10 (d) Make recommendations to the Legislature concerning the  
11 manner in which public education may be improved.

12 2. The Committee shall:

13 (a) In addition to any standards prescribed by the Department of  
14 Education, prescribe standards for the review and evaluation of the  
15 reports of the State Board of Education, school districts and public  
16 schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

17 (b) For the purposes set forth in NRS 385.389, recommend to  
18 the Department of Education programs of remedial study for each  
19 subject tested on the examinations administered pursuant to NRS  
20 389.015. In recommending these programs of remedial study, the  
21 Committee shall consider programs of remedial study that have  
22 proven to be successful in improving the academic achievement of  
23 pupils.

24 (c) Recommend to the Department of Education providers of  
25 supplemental educational services for inclusion on the list of  
26 approved providers prepared by the Department pursuant to NRS  
27 385.384. In recommending providers, the Committee shall consider  
28 providers with a demonstrated record of effectiveness in improving  
29 the academic achievement of pupils.

30 (d) For the purposes set forth in NRS 385.3785, recommend to  
31 the ~~[Commission on Educational Excellence created by NRS~~  
32 ~~385.3784]~~ *State Board of Education* programs, practices and  
33 strategies that have proven effective in improving the academic  
34 achievement and proficiency of pupils.

35 **Sec. 68.** NRS 233B.039 is hereby amended to read as follows:

36 233B.039 1. The following agencies are entirely exempted  
37 from the requirements of this chapter:

38 (a) The Governor.

39 (b) The Department of Corrections.

40 (c) The Nevada System of Higher Education.

41 (d) The Office of the Military.

42 (e) The State Gaming Control Board.

43 (f) Except as otherwise provided in NRS 368A.140, the Nevada  
44 Gaming Commission.



1 (g) The Division of Welfare and Supportive Services of the  
2 Department of Health and Human Services.

3 (h) The Division of Health Care Financing and Policy of the  
4 Department of Health and Human Services.

5 (i) The State Board of Examiners acting pursuant to chapter 217  
6 of NRS.

7 (j) Except as otherwise provided in NRS 533.365, the Office of  
8 the State Engineer.

9 (k) The Division of Industrial Relations of the Department of  
10 Business and Industry acting to enforce the provisions of  
11 NRS 618.375.

12 (l) The Administrator of the Division of Industrial Relations of  
13 the Department of Business and Industry in establishing and  
14 adjusting the schedule of fees and charges for accident benefits  
15 pursuant to subsection 2 of NRS 616C.260.

16 (m) The Board to Review Claims in adopting resolutions to  
17 carry out its duties pursuant to NRS 590.830.

18 2. Except as otherwise provided in subsection 5 and NRS  
19 391.323, the Department of Education ~~and~~ and the Board of the  
20 Public Employees' Benefits Program ~~and the Commission on~~  
21 ~~Professional Standards in Education~~ are subject to the provisions of  
22 this chapter for the purpose of adopting regulations but not with  
23 respect to any contested case.

24 3. The special provisions of:

25 (a) Chapter 612 of NRS for the distribution of regulations by  
26 and the judicial review of decisions of the Employment Security  
27 Division of the Department of Employment, Training and  
28 Rehabilitation;

29 (b) Chapters 616A to 617, inclusive, of NRS for the  
30 determination of contested claims;

31 (c) Chapter 703 of NRS for the judicial review of decisions of  
32 the Public Utilities Commission of Nevada;

33 (d) Chapter 91 of NRS for the judicial review of decisions of the  
34 Administrator of the Securities Division of the Office of the  
35 Secretary of State; and

36 (e) NRS 90.800 for the use of summary orders in contested  
37 cases,

38 ➤ prevail over the general provisions of this chapter.

39 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and  
40 233B.126 do not apply to the Department of Health and Human  
41 Services in the adjudication of contested cases involving the  
42 issuance of letters of approval for health facilities and agencies.

43 5. The provisions of this chapter do not apply to:

44 (a) Any order for immediate action, including, but not limited to  
45 to, quarantine and the treatment or cleansing of infected or infested



1 animals, objects or premises, made under the authority of the State  
2 Board of Agriculture, the State Board of Health, or any other agency  
3 of this State in the discharge of a responsibility for the preservation  
4 of human or animal health or for insect or pest control;

5 (b) An extraordinary regulation of the State Board of Pharmacy  
6 adopted pursuant to NRS 453.2184; or

7 (c) A regulation adopted by the State Board of Education  
8 pursuant to NRS 392.644 or 394.1694.

9 6. The State Board of Parole Commissioners is subject to the  
10 provisions of this chapter for the purpose of adopting regulations but  
11 not with respect to any contested case.

12 **Sec. 69.** NRS 385.017, 385.0175, 385.018, 385.019, 385.0225,  
13 385.023, 385.0235, 385.024, 385.0245, 385.025, 385.0255,  
14 385.0257, 385.026, 385.0265, 385.3781, 385.3783, 385.3784,  
15 388.780, 388.785, 388.790, 389.500, 389.510, 391.002, 391.005,  
16 391.011, 391.013, 391.015, 391.017, 391.027, 391.029, 391.500,  
17 391.508 and 391.516 are hereby repealed.

18 **Sec. 70.** 1. There is hereby created a Commission to Oversee  
19 Educational Reform, consisting of 6 members as follows:

20 (a) Two members appointed by the Governor to terms which  
21 commence on July 1, 2009, and expire on June 30, 2011.

22 (b) Two members appointed by the Majority Leader of the  
23 Senate to terms which commence on July 1, 2009, and expire on  
24 June 30, 2011.

25 (c) Two members appointed by the Speaker of the Assembly to  
26 terms which commence on July 1, 2009, and expire on June 30,  
27 2011.

28 2. At its first meeting, the members of the Commission to  
29 Oversee Educational Reform shall elect a Chair from among its  
30 members. The Commission shall meet at the call of the Chair or a  
31 majority of the Commission.

32 3. A vacancy on the Commission to Oversee Educational  
33 Reform must be filled in the same manner as the original  
34 appointment.

35 4. The Commission to Oversee Educational Reform shall:

36 (a) Monitor the State Board of Education and the Department of  
37 Education in carrying out the amendatory provisions of this act.

38 (b) Review the implementation of the amendatory provisions of  
39 this act.

40 (c) On or before July 1, 2010, submit to the Legislative  
41 Committee on Education a preliminary report concerning the  
42 progress of the changes and reformations of the State Board of  
43 Education, the Department of Education and the system of public  
44 education in this State generally, including an analysis of the  
45 effectiveness of the changes and reformations.



1 (d) On or before February 1, 2011, submit to the Director of the  
2 Legislative Counsel Bureau for transmission to the 76th Session of  
3 the Nevada Legislature a report concerning the changes and  
4 reformations of the State Board of Education, the Department of  
5 Education and the system of public education in this State generally,  
6 including an analysis of the effectiveness of the changes and  
7 reformations. The report may include any recommendations for  
8 legislation proposed by the Commission to Oversee Educational  
9 Reform.

10 5. The State Board of Education and the Department of  
11 Education shall work cooperatively with the Commission to  
12 Oversee Educational Reform.

13 6. The members of the Commission to Oversee Educational  
14 Reform shall serve without compensation.

15 7. The Legislative Counsel Bureau shall provide administrative  
16 support at the request of the Commission to Oversee Educational  
17 Reform.

18 **Sec. 71.** 1. The terms of all members of the State Board of  
19 Education who are incumbent on December 31, 2010, expire on that  
20 date.

21 2. On or before January 1, 2011:

22 (a) The Governor shall appoint one member who meets the  
23 qualifications set forth in paragraph (b) of subsection 2 of NRS  
24 385.021, as amended by section 8 of this act, to a term which  
25 commences on January 1, 2011, and expires on December 31, 2013.

26 (b) The Majority Leader of the Senate shall appoint one member  
27 who meets the qualifications set forth in paragraph (b) of subsection  
28 2 of NRS 385.021, as amended by section 8 of this act, to a term  
29 which commences on January 1, 2011, and expires on December 31,  
30 2015.

31 (c) The Speaker of the Assembly shall appoint one member who  
32 meets the qualifications set forth in paragraph (b) of subsection 2 of  
33 NRS 385.021, as amended by section 8 of this act, to a term which  
34 commences on January 1, 2011, and expires on December 31, 2013.

35 (d) The Board of Regents of the University of Nevada may  
36 appoint one member who meets the qualifications set forth in  
37 paragraph (c) of subsection 2 of NRS 385.021, as amended by  
38 section 8 of this act, to a term which commences on January 1,  
39 2011, and expires on December 31, 2015.

40 3. The member who is elected who is a resident of:

41 (a) Congressional District 1, as described in NRS 304.100,  
42 serves an initial term of 2 years and serves a term of 4 years  
43 thereafter.

44 (b) Congressional District 2, as described in NRS 304.110,  
45 serves a term of 4 years.





1 (c) Congressional District 3, as described in NRS 304.120,  
2 serves a term of 4 years.

3 **Sec. 72.** 1. The terms of all members of the Commission on  
4 Educational Excellence who are incumbent on June 30, 2009, expire  
5 on that date.

6 2. The terms of all members of the Commission on Educational  
7 Technology who are incumbent on June 30, 2009, expire on that  
8 date.

9 3. The terms of all members of the Council to Establish  
10 Academic Standards for Public Schools who are incumbent on  
11 June 30, 2009, expire on that date.

12 4. The terms of all members of the Commission on  
13 Professional Standards in Education who are incumbent on June 30,  
14 2009, expire on that date.

15 5. The terms of all members of the Statewide Council for the  
16 Coordination of the Regional Training Programs who are incumbent  
17 on June 30, 2009, expire on that date.

18 **Sec. 73.** 1. The term of the Superintendent of Public  
19 Instruction who was appointed pursuant to NRS 385.150 before the  
20 effective date of this act continues to serve for the remainder of that  
21 unexpired term. Upon expiration of the term or if a vacancy occurs  
22 before the expiration of that term, the Governor shall nominate and  
23 the Legislative Commission may confirm a State Superintendent for  
24 Education in accordance with NRS 385.150, as amended by section  
25 11 of this act, for a term which expires on June 30, 2010.

26 2. Commencing on February 1, 2011, the Governor shall  
27 nominate, and the Senate may confirm in accordance with NRS  
28 385.150, as amended by section 11 of this act, a State  
29 Superintendent for Education for a term which commences on  
30 July 1, 2011.

31 **Sec. 74.** 1. The Legislative Counsel shall, in preparing the:

32 (a) Reprint and supplement to the Nevada Revised Statutes with  
33 respect to any section which is not amended by this act or is adopted  
34 or amended by another act, appropriately change any reference to an  
35 officer, agency or other entity whose responsibilities have been  
36 transferred pursuant to the provisions of this act to refer to the  
37 appropriate officer, agency or entity. If any internal reference is  
38 made to a section repealed by this act, the Legislative Counsel shall  
39 delete the reference and replace it by reference to the superseding  
40 section, if any.

41 (b) Supplements to the Nevada Administrative Code,  
42 appropriately change any reference to an officer, agency or other  
43 entity whose responsibilities have been transferred pursuant to the  
44 provisions of this act to refer to the appropriate officer, agency or  
45 entity.



1 2. Any references in a bill or resolution passed by the 75th  
2 Session of the Nevada Legislature to an officer, agency or other  
3 entity whose name is changed or whose responsibilities have been  
4 transferred pursuant to the provisions of this act to another officer,  
5 agency or other entity shall be deemed to refer to the officer, agency  
6 or other entity to which the responsibility is transferred.

7 **Sec. 75.** 1. Any policies adopted by the Commission on  
8 Educational Excellence pursuant to NRS 385.3781 to 385.379,  
9 inclusive, before July 1, 2009:

10 (a) Remain in effect and may be enforced as if adopted by the  
11 State Board of Education in accordance with the provisions of this  
12 act; and

13 (b) May be amended or repealed by the State Board of  
14 Education in accordance with the provisions of this act.

15 2. Any regulations or policies adopted by the Department of  
16 Education, in consultation with the Commission on Educational  
17 Technology, pursuant to NRS 388.780 to 388.805, inclusive, before  
18 July 1, 2009:

19 (a) Remain in effect and may be enforced as if adopted by the  
20 State Board of Education in accordance with the provisions of this  
21 act; and

22 (b) May be amended or repealed by the State Board of  
23 Education in accordance with the provisions of this act.

24 3. Any regulations or policies adopted by the Commission on  
25 Professional Standards in Education pursuant to chapter 391 of NRS  
26 before July 1, 2009:

27 (a) Remain in effect and may be enforced as if adopted by the  
28 State Board of Education in accordance with the provisions of this  
29 act; and

30 (b) May be amended or repealed by the State Board of  
31 Education in accordance with the provisions of this act.

32 4. Any policies adopted by the Statewide Council for the  
33 Coordination of the Regional Training Programs pursuant to NRS  
34 391.500 to 391.556, inclusive, before July 1, 2009:

35 (a) Remain in effect and may be enforced as if adopted by the  
36 State Board of Education in accordance with the provisions of this  
37 act; and

38 (b) May be amended or repealed by the State Board of  
39 Education in accordance with the provisions of this act.

40 **Sec. 76.** On or before July 1, 2009, the State Board of  
41 Education shall appoint members to the:

42 1. Advisory committee authorized pursuant to NRS 385.3785,  
43 as amended by section 23 of this act. Persons appointed by the State  
44 Board may be persons who served on the Commission on  
45 Educational Excellence as it existed before the effective date of this



1 act. The term of each member appointed pursuant to this subsection  
2 expires on June 30, 2011, unless the State Board decides to  
3 reappoint the member.

4 2. Advisory committee authorized pursuant to NRS 388.795, as  
5 amended by section 31 of this act. Persons appointed by the State  
6 Board may be persons who served on the Commission on  
7 Educational Technology as it existed before the effective date of this  
8 act. The term of each member appointed pursuant to this subsection  
9 expires on June 30, 2011, unless the State Board decides to  
10 reappoint the member.

11 3. Advisory committee authorized pursuant to NRS 389.530, as  
12 amended by section 38 of this act. Persons appointed by the State  
13 Board may be persons who served on the Council to Establish  
14 Academic Standards for Public Schools as it existed before the  
15 effective date of this act. The term of each member appointed  
16 pursuant to this subsection expires on June 30, 2011, unless the  
17 State Board decides to reappoint the member.

18 4. Advisory committee authorized pursuant to section 46 of  
19 this act. Persons appointed by the State Board may be persons who  
20 served on the Commission on Professional Standards in Education  
21 as it existed before the effective date of this act. The term of each  
22 member appointed pursuant to this subsection expires on June 30,  
23 2011, unless the State Board decides to reappoint the member.

24 5. Advisory committee authorized pursuant to NRS 391.520, as  
25 amended by section 60 of this act. Persons appointed by the State  
26 Board may be persons who served on the Statewide Council for the  
27 Coordination of the Regional Training Programs as it existed before  
28 the effective date of this act. The term of each member appointed  
29 pursuant to this subsection expires on June 30, 2011, unless the  
30 State Board decides to reappoint the member.

31 **Sec. 77.** Any contract entered into by the Commission on  
32 Educational Excellence, Commission on Educational Technology,  
33 Council to Establish Academic Standards for Public Schools,  
34 Commission on Professional Standards in Education or Statewide  
35 Council for the Coordination of the Regional Training Programs  
36 before July 1, 2009, remains in effect and may be administered and  
37 enforced by the State Board of Education.

38 **Sec. 78.** 1. The Department of Personnel shall, upon the  
39 request of an employee of the Department of Education or the State  
40 Board of Education whose employment is terminated as a result of  
41 this act, place the employee on an appropriate reemployment list  
42 maintained by the Department of Personnel and allow a preference  
43 for each of those employees on that list. The Department of  
44 Personnel shall maintain each such employee on the reemployment  
45 list until October 1, 2011, or until the employee is reemployed by



1 the Executive Branch of State Government, whichever occurs  
2 earlier.

3 2. The provisions of this section apply regardless of whether  
4 the employee was in the classified, unclassified or nonclassified  
5 service of the State of Nevada.

6 **Sec. 79.** 1. This section and sections 70, 72 and 76 of this act  
7 become effective on passage and approval for purposes of:

8 (a) Expiring terms pursuant to section 72 of this act; and  
9 (b) Making appointments pursuant to sections 70 and 76 of this  
10 act,

11 ↪ and on July 1, 2009, for all other purposes.

12 2. Sections 8 and 71 of this act become effective upon passage  
13 and approval for purposes of electing members from each of the  
14 congressional districts in the 2010 general election and expiring the  
15 terms of the incumbent members of the State Board of Education  
16 pursuant to section 71 of this act, and on January 1, 2011, for all  
17 other purposes.

18 3. Sections 1 to 7, inclusive, 9 to 49, inclusive, 51, 52, 53, 55 to  
19 69, inclusive, 73, 74, 75, 77 and 78 of this act become effective on  
20 July 1, 2009.

21 4. Sections 50 and 54 of this act become effective on July 1,  
22 2011.

23 5. Section 56 of this act expires by limitation on the date on  
24 which the provisions of 42 U.S.C. § 666 requiring each state to  
25 establish procedures under which the state has authority to withhold  
26 or suspend, or to restrict the use of professional, occupational and  
27 recreational licenses of persons who:

28 (a) Have failed to comply with a subpoena or warrant relating to  
29 a proceeding to determine the paternity of a child or to establish or  
30 enforce an obligation for the support of a child; or

31 (b) Are in arrears in the payment for the support of one or more  
32 children,

33 ↪ are repealed by the Congress of the United States.

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## LEADLINES OF REPEALED SECTIONS

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**385.017 Definitions.**

**385.0175 Maps of districts: Duties of Director of Legislative  
Counsel Bureau.**

**385.018 Maps of districts: Duties of Secretary of State.**

**385.019 Attachment of omitted area to appropriate district.**

**385.0225 District 1.**



- 385.023 District 2.
- 385.0235 District 3.
- 385.024 District 4.
- 385.0245 District 5.
- 385.025 District 6.
- 385.0255 District 7.
- 385.0257 District 8.
- 385.026 District 9.
- 385.0265 District 10.
- 385.3781 Definitions.
- 385.3783 "Commission" defined.
- 385.3784 Commission: Creation; membership; terms; meetings; compensation of members; duty of Department to provide administrative support; involvement of the Legislative Counsel Bureau in activities of Commission.
- 388.780 Definitions.
- 388.785 "Commission" defined.
- 388.790 Commission on Educational Technology: Creation; membership; terms; removal and vacancy; quarterly meetings required; compensation.
- 389.500 "Council" defined.
- 389.510 Council to Establish Academic Standards: Creation; membership; terms; compensation.
- 391.002 Definitions.
- 391.005 "Commission" defined.
- 391.011 Creation; membership.
- 391.013 Limitation on terms of certain members.
- 391.015 Officers.
- 391.017 Meetings; quorum; travel expenses and subsistence allowances.
- 391.027 Approval or disapproval of Commission's regulations by State Board of Education.
- 391.029 Provision of personnel; location of offices.
- 391.500 Definitions.
- 391.508 "Statewide Council" defined.
- 391.516 Statewide Council for the Coordination of the Regional Training Programs: Creation; membership; terms; compensation; administrative support authorized.





