

The 2011 Nevada State Legislature enacted a number of measures related to education and district operations that may be of interest to you. A very brief summary of these measures is provided here to make you aware of these changes in statute, followed by the dates they take effect (in parenthesis). If an implementation plan is required of the district, it is stated in italics after the effective date.

If you would like to know more about any of the bills, you may view the full text of each bill on the Internet at [www.leg.state.nv.us](http://www.leg.state.nv.us). Select "Session Information," select "76th Session (2011)," select "Bill Information," then select either "Assembly Bills" or "Senate Bills", and then select the specific bill number. Be certain to view the bill "As Enrolled" to ensure that you are viewing the language signed into law.

Other web addresses you may find useful in the event you have questions include web sites of the Douglas County School District ([www.dcsd.k12.nv.us](http://www.dcsd.k12.nv.us)) and the Nevada Department of Education (<http://www.doe.nv.gov/>). You also may contact the District Office at 782-7179 if you have questions or comments. Staying informed helps all of us work together more effectively for the sake of our students.

#### **Education-Related Legislation, 2011**

*(AB denotes Assembly Bill; SB denotes Senate Bill)*

AB 39 - The bill removes the requirement that the Department of Education provide written notice to licensed personnel regarding the expiration of their license. School districts are now responsible for notifying each employee identified of the pending licensure expiration. (7/1/11)

AB 113 – The bill revises the schedule for the state criterion-referenced tests in grades 3 through 8 to at least 30 days later in the spring semester for purposes of determining adequate yearly progress of schools. The current date of testing on the 120<sup>th</sup> day of school will be moved to the 150<sup>th</sup> day of school. (7/1/11)

AB 117 – The bill authorizes the board of trustees of a school district or the governing board of a charter school to request, during the 2011-2013 biennium, a waiver from the required number of school days in a school year for economic hardship reasons only. (7/1/11)

AB 138 – The bill requires the Department of Education and school districts to include the number of pupils receiving the adult diploma and the number of incidents resulting in suspension or expulsion of pupils for bullying, cyber-bullying, harassment or intimidation as part of the annual report of accountability. The bill also ensures that each ninth grade pupil and his or her parent or legal guardian are provided, to the extent practicable, with information concerning certain courses and programs available to the pupil, as well as the requirements for graduation, for admission to the Nevada System of Higher Education and for receipt of a Governor Guinn Millennium Scholarship. The bill authorizes the board of trustees to adopt a policy that allows a pupil to report, anonymously if the pupil chooses, any unlawful activities being conducted on school property or at a school-sponsored event. The bill revises the minimum age by which a pupil may be excused from full time school attendance to enter employment or an apprenticeship program from 14 to 15 years old. (7/1/11)

AB 171 – The bill provides that if the sponsor of a charter school denies a request for an amendment of a written charter of the school, the sponsor must provide written notice to the governing body setting for the reasons for the denial. The sponsor of a charter school may revoke the written charter before the expiration if the sponsor determines that the school failed to comply with the terms and conditions of the written charter. (7/1/11)

AB 222 – The bill charges the Teachers and Leaders Council with developing a fair, reliable and accurate evaluation system for teachers and administrators to include highly effective, effective, minimally effective, or ineffective designations using student achievement data for at least 50% of the criteria as required by AB 229. (7/1/11) *The District will adopt and implement a performance evaluation system by the required deadline.*

AB 224 – The bill creates the Office of Parental Involvement and Family Engagement within the Department of Education and outlines an extensive list of responsibilities and expected outcomes. The bill contains numerous provisions on parent involvement including training of teachers, administrators and parent liaisons on strategies to improve family engagement. (7/1/11)

AB 225 – The bill eliminates the “tenure” of teachers and/or administrators who receive two consecutive unsatisfactory evaluations. Post-probationary employees will be returned to probationary status after their second consecutive unsatisfactory evaluation. (7/1/11) *The District will revise policies and regulations as required.*

AB 227 – The bill requires the board of trustees of a school district, upon request by a nonprofit organization and subject to availability and other conditions, to grant the use of an athletic field that does not contain lights at an elementary or middle school within the district if the nonprofit organization serves adults and children with disabilities or provides programs for youth sports. The bill stipulates that the provisions of the bill do not apply if a school district has entered into an agreement with a local government to provide the use of the athletic fields or playgrounds of the school district to a community organization which provides programs for youth sports. (7/1/11)

AB 229 – The bill provides new requirements for teacher and administrator evaluations, discipline, probationary periods, and tenure. Effective July 1, 2013 districts must revise teacher and administrator evaluation systems to include highly effective, effective and minimally effective or ineffective designations using student data for at least 50% of the criteria and establish a pay-for-performance program for implementation in the 2014-15 school year. (7/1/11)

AB 230 – The bill authorizes an alternative route to licensure for teachers and administrators. (7/1/11)

AB 233 – The bill provides that a pupil may be granted credit in lieu of course attendance if the pupil demonstrates proficiency on an examination developed by the principal and the pupil’s teacher who provides instruction in the course or passes an examination that the principal determines is as rigorous or more rigorous than the examination prescribed by the State Board. (7/1/11)

AB 290 – The bill authorizes a principal to postpone the administration of the high school proficiency examination (HSPE) in the subject area of mathematics or science, or both, for 10<sup>th</sup> grade students for not more than one year if: 1) the student is not academically ready to take the exam; and 2) the parent or legal guardian agrees in writing with that determination. (7/1/11)

AB 316 – The bill designates a standard protocol for measuring outcomes and assessing and evaluating persons with autism-spectrum disorders through the age of 21 who receive services through state and school district sponsored programs. (7/1/11)

AB 318 – The bill requires that whenever a due process hearing is held pursuant to the Individuals with Disabilities Education Act regarding the identification, evaluation, reevaluation, classification, educational placement or disciplinary action of or provision of a free appropriate public education (FAPE) to a pupil with a disability, and a school district is a party, the school district has the burden of proof and the burden of production. (7/1/11)

AB 393 – The bill requires licensed personnel to be fingerprinted when they apply for renewal of their license with the Nevada Department of Education. This bill also requires school boards to adopt a policy compelling licensed employees to report information concerning arrests for or conviction of certain crimes. (7/1/11) *The District will adopt provisions concerning the reporting of criminal activity by employees.*

AB 395 – The bill creates a separate category of licensure to teach special education and requires the Commission on Professional Standards in Education adopt regulations to include provisions for the reciprocal licensure of persons who hold a license to teach special education. (7/1/11)

AB 455 – The bill requires the Nevada Interscholastic Activities Association (NIAA) and the board of trustees of the school district to adopt a policy concerning the prevention and treatment of injuries to the head sustained by students while participating in sports and other athletic activities and events. (7/1/11)

AB 493 – The bill provides a temporary waiver for the 2011-2013 biennium to each school district from the minimum expenditure requirements under state law for library books, software for computers, the purchase of equipment relating to instruction and the maintenance and repair of equipment, vehicles, and buildings and facilities. (7/1/11)

AB 498 – The bill permanently eliminates the statutory requirement for the administration of norm-referenced examinations in grades 4, 7 and 10 and revises existing law to delete references to the norm-referenced examinations. (6/17/11)

AB 527 – The bill makes an appropriation of \$100,000 to the Department of Administration to contract with the Clark County Public Education Foundation to implement and operate a principal leadership training program. The bill requires that the Foundation matches or exceeds the \$100,000 from other sources and works in cooperation with the 17 school districts, other public education foundations in this State, and the Regional Professional Development Programs to design and implement the principal leadership training program. (7/1/11)

AB 551 – The bill requires the board of trustees of each school district to determine whether consolidating or sharing services, functions, or personnel with other school districts is feasible. The District is required to report to the Legislative Counsel Bureau and the Interim Finance Committee on the feasibility on consolidation. (7/1/11) *The District will review the consolidation of services for feasibility and report to the Legislature by the required deadline.*

AB 579 – The bill provides the state basic support guarantee for school districts for Fiscal Year 2011-2012 (FY12) at \$5,263 and for Fiscal year 2012-2013 (FY13) at \$5,373 per pupil. The bill also establishes funding allocations for special education units, gifted and talented pupils, adult high school diploma programs, special counselor services, early childhood education, class size reduction, full-day kindergarten, and other programs. (7/1/11)

SB 11 – The bill requires the Legislative Commission to appoint a committee to conduct an interim study concerning the development of a new method for funding public schools in this State. The bill requires the committee to submit a report on its findings to the 77th Session of the Nevada Legislature. (7/1/11)

SB 14 – The bill requires the State Board to develop and provide to school districts a model curriculum for English language arts and mathematics for kindergarten and grades 1 to 12, inclusive, which are the two subject areas currently covered by the Common Core Standards. (7/1/11)

SB 35 – The bill revises the manner in which the achievement results of pupils on the state required criterion-referenced examinations and the high school proficiency examination are reported for charter schools by requiring the governing body of each charter school to submit the results and other required information through the sponsor of the charter school to the Department of Education. (7/1/11)

SB 38 – The bill authorizes the Superintendent to deduct from a quarterly apportionment if a school district, charter school or university school for profoundly gifted pupils fails to repay certain amounts due the Department of Education or pays a claim determined to be unearned, illegal or unreasonably excessive or withhold the quarterly apportionment if the entity fails to submit a report or other information that is required to be submitted to the Superintendent, State Board of Education or Department pursuant to a

statute. If the required report or information is subsequently provided, the amount withheld must be immediately paid. (7/1/11)

SB 96 – The bill encourages a student who receives a Millennium Scholarship to volunteer at least 20 hours of community service during each year. (7/1/11)

SB 98 – The bill sets forth that the following persons are prohibited from being a member of an employee organization: (1) supervisory employees who have additional authority on behalf of the employer to make budgetary decisions and decisions relating to collective bargaining; (2) doctors and physicians who are employed by a local government employer; and (3) attorneys who are employed by a local government employer and assigned to a civil division, department or agency, except for the duration of a collective bargaining agreement to which the attorney is a party as of July 1, 2011. The bill adds to the list of mandatory bargaining topics the reopening of collective bargaining agreements in instances of fiscal emergency. (7/1/11)

SB 196 – Existing law established the Program of Empowerment Schools. The law imposed a cap on the number of empowerment schools that may be established statewide at 100 schools and provided for the prospective expiration of the Program on June 30, 2011. The bill removes the cap and the prospective expiration date. (7/1/11)

SB 197 – The bill removes the provisions creating the 10-member elected State Board of Education and provides for the creation of a new board consisting of seven voting members and four non-voting members whose terms will commence on January 8, 2013. The bill revises the duties of the Superintendent of Public Instruction and specifies that the Superintendent is to be appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor. The bill requires the Superintendent of Public Instruction, in conjunction with the State Board, to prepare an annual report of the state of public education in this State and delineates specific information that must be included. The bill makes various changes to the organization and funding structure of the Regional Professional Development Program. (7/1/11)

SB 211 – The bill requires the Legislative Committee on Education to conduct a study to determine the extent to which: the curriculum and instruction for kindergarten through grade 12 in the public schools in this State is transitioned to the Common Core State Standards; teachers and other licensed educational personnel are afforded sufficient professional development opportunities and resources to aid in the transition process to the Common Core State Standards; and a plan and a timeline have been established for transitioning Nevada's assessment system for the public schools to align with the Common Core State Standards. The bill requires the Legislative Committee on Education to submit their findings to the 77<sup>th</sup> Session of the Nevada Legislature. (7/1/11)

SB 212 – The bill creates the State Public Charter School Authority and stipulates that the Authority's purpose is to: authorize charter schools of high-quality throughout this State; provide oversight to the charter schools that it sponsors; and serve as a model of the best practices in sponsoring charter schools and foster a climate in this State in which all charter schools, regardless of sponsor, can flourish. (7/1/11)

SB 220 – The bill provides statutory authority for an account established in the Millennium Scholarship Fund to accept donations and authorizes the use of the money to provide a Kenny C. Guinn Memorial Millennium Scholarship to one college senior each year majoring in elementary or secondary education and meets certain criteria. (7/1/11)

SB 229 – The bill requires the State Board of Education to revise the previously adopted policy to encourage parental and family involvement to support the education of their children to include: (1) promotion of an atmosphere for parents and families to visit the school that their children attend and feel welcome, valued and connected to the staff of the school, other parents and families and to the education of their children; (2) promotion of regular, two-way, meaningful communication between parents, families and schools relating to learning by pupils; (3) collaboration among parents, families and schools to support learning by pupils and healthy development of pupils at home and school; (4) empowerment of parents and

families to advocate for their children and the children of other parents and families to ensure that all pupils are treated fairly and have access to learning opportunities that support pupil achievement; (5) promotion of an equal partnership between parents, families and schools in making decisions that affect children, parents and families; and (6) collaboration of parents, families and schools with the community. (7/1/11)

SB 276 – The bill requires the Department of Education to establish a program of training on the prevention of bullying, cyber-bullying, harassment and intimidation for members of the State Board and to recommend a program of training for members of the boards of trustees of school districts and school district personnel. The bill requires the principal of each public school to: establish a school safety team; conduct investigations of reported incidents of bullying, cyber-bullying, harassment and intimidation; collaborate with the board of school trustees and the school safety team to prevent, identify and address reported incidents of bullying, cyber-bullying, harassment and intimidation; and report the number of incidents that occurred at the school or involved a student enrolled in the school. The bill requires a staff member who witnesses an incident to report it to the principal and provides disciplinary measures for intentional failure to report it. The bill requires the Governor to annually proclaim the first week in October to be “Week of Respect.” (7/1/11) *The District will adopt and/or modify policies and procedures as required and participate in the “Week of Respect.”*

SB 315 – The bill requires the Commission on Professional Standards to adopt regulations prescribing the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure and sets forth certain requirements that must be specified in those regulations. (7/1/11)

SB 317 – The bill revises the duties of each crisis plan development committee established by a school district, charter school or private school to require that such a plan also address responding to a school emergency. (7/1/11)

SB 318 – The bill provides that new school buses which are purchased on and after July 1, 2014, must meet certain enumerated standards relating to: (1) the flammability of occupant seating; and (2) the flammability of plastic components contained within the engine compartment. (7/1/11)

SB 365 – The bill changes the mandatory requirement to a permissive option for boards of trustees to adopt a policy for a program to engage administrators employed at the district level in annual classroom instruction, observation and other activities. The bill repeals the state statutory requirement for a school district to prepare an annual plan for improvement. (It is noted that a plan is still required under federal law for school districts that receive Title I funding). The bill requires the board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more and/or at least one middle school with an enrollment of 500 pupils or more to adopt a pilot program of small learning communities for implementation in at least 50 percent of those high schools and/or middle schools. Pilot programs to be implemented beginning with the 2013-2014 school year. (7/1/11)

SB 370 – The bill requires the board of trustees of each school district to adopt a policy to develop an academic plan for each foster child enrolled in an elementary school. The bill requires the academic plan to be used as a guide to plan, monitor and manage the pupil’s educational development and make determinations of any assistance that may be necessary to the academic success of the pupil. (7/1/11) *The District will adopt a policy as required.*