

Nevada Association of School Boards
Summary of Bills Enacted by 2015 Session of the Nevada Legislature
Related to K-12 Public Education and Impact on Local School Boards
August 2, 2015



	Legislation of interest to school board members as elected officials
	Legislation of interest to school board members regarding funding, construction, or finance
	Includes information from Guidance Memos issued by Dale Erquiaga, State Superintendent of Public Instruction
	Legislation that may require more immediate consideration and/or more immediate action by local school boards

Bill	Summary of Legislation as Enacted by the 77 th Session of the Nevada Legislature and Approved by Governor Sandoval	Anticipated Impact on Local School Boards	Primary Sponsor(s) and Statute Impacted
ASSESSMENT, ACCOUNTABILITY, and SCHOOL IMPROVEMENT			
AB30	This bill revises provisions concerning the submission of a plan to improve the achievement of pupils enrolled in public school in this State; requiring the State Board to review each plan submitted by the principal of a school and make certain recommendations to the Department of Education; and providing other matters properly relating thereto.	<p>On or before January 31 of each year, the principal of each school must submit the final plan for improvement to the Department of Education, Legislative Committee on Education, Legislative Bureau of Educational Accountability and Program Evaluation, and board of trustees of the district in which the school is located. The plan for improvement must be carried out expeditiously, but not later than February 15 after approval of the plan by the State Board of Education.</p> <p>Each school board may wish to ensure that district policies and/or guidelines for improvement plans and their submission to the board are in place and that principals are aware of these policies and/or guidelines.</p> <p>This act becomes effective on July 1, 2015.</p>	Assembly Committee on Education NRS 385
AB107	Section 1.2 of this bill requires the annual report of accountability prepared by each school district and the sponsor of each charter school to include: (1) the number and percentage of pupils who are eligible for free or reduced-price breakfasts pursuant to federal law; (2) the number and percentage of pupils who are eligible for free or reduced-price lunches pursuant to federal law; (3) the number and percentage of pupils who are eligible for free or reduced-price breakfasts and who receive free and reduced-price breakfasts; (4) the number and	<p>It is the responsibility of the board through the superintendent to ensure that these data elements are collected for accountability reporting purposes and submitted to the Nevada Department of Education as directed.</p> <p>This act becomes effective on July 1, 2015, for</p>	Assembly Committee on Education NRS 385

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	<p>percentage of pupils who are eligible for free or reduced-price lunches and who receive free and reduced-price lunches; (5) a comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price breakfasts or lunches; and (6) a comparison of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free and reduced-price lunches and pupils who receive free and reduced-price lunches in certain areas for which data are collected.</p>	<p>the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on January 1, 2016, for all other purposes.</p>	
<p>AB341</p> 	<p>Section 8 of this bill requires the board of trustees of each school district and the governing body of each charter school that serves pupils in kindergarten or grade 1, 2 or 3 to prescribe an early literacy screening assessment for use by the schools located in the school district or the charter school, respectively. Section 9 of this bill: (1) requires each school district and charter school to administer screenings for dyslexia to certain pupils in certain grade levels; and (2) requires a school district and charter school to address the needs of a pupil if the screening confirms that a pupil has indicators for dyslexia through the response to scientific, research-based intervention system of instruction. Section 11 of this bill requires a pupil's individualized education program team to consider certain instructional approaches when developing an individualized education program for a pupil with dyslexia. Section 13 of this bill requires the principal of a public elementary school, including, without limitation, a charter school, to designate a licensed teacher employed by the school to receive training in effective methods for intervention for pupils with dyslexia. If the principal of a school has designated a teacher as a learning strategist, section 13 requires the learning strategist to be the person to receive such training. Section 13 also requires each school district and charter school to ensure that at least one employee who serves pupils in kindergarten or grade 1, 2 or 3 is designated at each school to receive professional development regarding dyslexia. If the principal of a school has designated a teacher as a learning strategist, section 13 requires the learning strategist to provide such professional development. Section 14 of this bill requires the Department to prepare and publish a Dyslexia Resource Guide as a guide for each school district and public school to use to identify and provide dyslexia intervention for pupils with dyslexia. Existing law requires the State Board of Education to prescribe minimum standards for the special education of pupils with disabilities. (NRS 388.520) Section 16 of this bill requires that the standards prescribed by the State Board for pupils with dyslexia include certain instruction. Existing law requires the State Board to prescribe by regulation the standards for approval of a course of study or training offered by an educational institution to qualify a person to be a teacher or administrator or perform other educational functions. (NRS 388.520) Section 17 of this bill requires these regulations to include training on how to identify a pupil who is at risk for dyslexia or related disorders.</p>	<p>Each school board and the governing body of each charter school must authorize the use and administration of an appropriate early literacy screening assessment for use in screening dyslexia to pupils in kindergarten and grades 1, 2, and 3.</p> <p>The assessment must screen for:</p> <ul style="list-style-type: none"> (a) Phonological and phonemic awareness; (b) Sound-symbol recognition; (c) Alphabet knowledge; (d) Decoding skills; (e) Rapid naming skills; and (f) Encoding skills. <p>If an early literacy screening assessment confirms that a pupil has indicators for dyslexia, the board of trustees of a school district or governing body of a charter school, as applicable, shall address the needs of the pupil through the use of a scientific, research-based intervention system of instruction. Other testing may be administered to determine whether special services are needed.</p> <p>When the IEP team develops a plan for appropriate instruction for students with dyslexia, a range of options are available.</p> <p>The NDE will prepare and publish a Dyslexia Resource Guide for use in identifying and providing dyslexia intervention for pupils with dyslexia. The State Board will prescribe appropriate standards.</p> <p>This active becomes effective on July 1, 2015.</p>	<p>Orhenschall, Diaz, Silkberkraus, Spiegel, Carillo, Elliot Anderson, Araujo, Carlton, Joiner, Jones, Munford, Neal, Stewart, Swank, Thompson, and Ford NRS 388</p>

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SB75	Existing law requires examinations to be administered to pupils enrolled in grades 3 through 8 based upon the State’s academic standards. Existing law also requires the board of trustees of each school district and the governing body of each charter school to administer such examinations to pupils at the same time during the spring semester, as prescribed by the State Board of Education. (NRS 389.550) This bill removes this requirement and instead requires the State Board to prescribe the minimum number of school days that must take place before the examinations may be administered and the period during which they are to be administered.	This change removes the requirement that all schools must administer the same specific exam on the same date. It provides authority for the State Board to determine the minimum number of days of instruction that must take place before certain examinations are administered and the period of time for administration. This act becomes effective upon passage and approval.	Assembly Committee on Education NRS 389
SB92	This bill authorizes the designation of certain underperforming schools as TURNAROUND SCHOOLS ; allowing certain measures to be taken with respect to the administration and personnel of such schools; excluding the right of a school district to make reassignments of a principal or teacher from such a school from the scope of collective bargaining; providing for certain incentives to encourage employment at a school designated as a turnaround school; revising provisions relating to the reassignment of a teacher or administrator whose overall performance is designated as minimally effective or ineffective; requiring the board of trustees of a school district to consider specified factors in carrying out a reduction in force; directing the Legislative Counsel to reorganize certain statutory provisions relating to education; and providing other matters properly relating thereto.	See SB92 below in the section focusing upon Collective Bargaining, PERS, and PEBP.	Senate Committee on Education NRS 385
SB313	Section 1 of this bill requires a pupil who is enrolled fulltime in a program of distance education provided by a university school for profoundly gifted pupils to be included in the count of pupils for purposes of apportionments and allowances from the State Distributive School Account. Section 3 of this bill authorizes the governing body of a university school for profoundly gifted pupils to provide a program of distance education for a pupil who is otherwise eligible to attend the school. Existing law generally provides for the operation of private educational institutions and establishments in this State. (Chapter 394 of NRS) Section 4 of this bill authorizes the governing body of a private school to provide a program of distance education for a student or prospective student of the private school who is otherwise eligible to attend the private school. Section 2 of this bill provides that a program of distance education provided by the board of trustees of a school district or the governing body of a charter school does not include a program of distance education provided by a private school or a university school for profoundly gifted pupils, in accordance with sections 3 and 4 , respectively.	This bill provides for new programs of distance education for pupils eligible to attend a university school for profoundly gifted pupils or who are eligible to attend a particular private school. This act becomes effective on July 1, 2015.	Kieckhefer NRS 387
SB332	Existing law requires the State Board of Education to establish a statewide performance evaluation system which includes a process for peer evaluations of teachers by qualified educational personnel which is designed to provide assistance to teachers in meeting the standards of effective teaching. (NRS 391.465) Existing law also requires the board of trustees of each school district to submit a report to the State Board and the Teachers and Leaders Council of Nevada concerning the implementation and effectiveness of the process for peer evaluations of teachers. (NRS 391.470) This bill appropriates money for Fiscal Year 2015-2016 and Fiscal Year 2016-2017 to the Clark County School District to carry out a program of peer assistance and review for teachers. This bill requires the Clark County School District to use the money to provide certain assistance to teachers in the School	This program for peer assistance and review may result in a plan that can be used in other school districts for purposes of improving classroom instruction. This act becomes effective on July 1, 2015.	Roberson, Ford, and Hammond NRS 391

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<p>SB391</p> 	<p>District in meeting the standards for effective teaching.</p> <p>READ BY THREE legislation. Section 5 of this bill requires the board of trustees of each school district or the governing body of a charter school to prepare a plan to improve the literacy of pupils enrolled in kindergarten and grades 1, 2 and 3 and submit the plan to the Department of Education for its approval. Section 6 of this bill requires the principal of a public elementary school, including, without limitation, a charter school, to designate a licensed teacher employed by the school who has demonstrated leadership abilities to serve as a learning strategist to train and assist teachers in providing intensive instruction to pupils who have been identified as deficient in the subject area of reading. Section 6 also: (1) authorizes a school district or charter school to provide additional compensation to learning strategists and teachers whose overall performance is determined to be "highly effective" under the statewide performance evaluation system; and (2) requires each teacher employed by a school district or charter school to teach kindergarten or grade 1, 2, 3 or 4 to complete professional development prescribed by the State Board of Education concerning the subject area of reading. Section 8 of this bill requires the principal of a school to provide notice that a pupil exhibits a deficiency in the subject area of reading to the parent or guardian of a pupil enrolled in kindergarten or grade 1, 2 or 3. Section 9 of this bill requires a public elementary school to: (1) establish a plan to monitor the progress of a pupil enrolled in kindergarten or grade 1, 2 or 3 who has a deficiency in the subject area of reading; and (2) assess the proficiency in reading of a pupil for whom such a plan is established at the beginning of the next school year. Section 10 of this bill provides that, unless a pupil receives an exemption by the superintendent of schools of the school district or the governing body of the charter school, as recommended by the principal, a pupil enrolled in grade 3 must be retained in grade 3 rather than promoted to grade 4 if the pupil does not obtain the score prescribed by the State Board on the criterion-referenced examination in reading. Section 10 also: (1) provides certain good-cause exemptions for certain pupils to allow them to be promoted to grade 4 even if they did not obtain that score; and (2) requires the State Board to prescribe an alternate examination for pupils who do not obtain that score. Section 14 of this bill makes conforming changes. Section 3 of this bill similarly provides that a pupil enrolled in grade 3 at a charter school must be retained in grade 3 rather than promoted to grade 4 if the pupil does not obtain the score presented by the State Board on the criterion-referenced examination unless the pupil receives a good cause exemption. Section 12 of this bill requires the principal of a school to offer the parent or legal guardian of a pupil who is retained in grade 3 certain additional instructional options. Sections 3 and 13 of this bill require the board of trustees of each school district and the governing body of a charter school to prepare a report concerning the number and percentage of pupils who are: (1) retained in grade 3 for deficiency in reading, including whether or not a pupil was previously retained in kindergarten or grade 1 or 2; and (2) not retained in grade 3 because a good cause exemption was approved but who were previously retained in kindergarten or grade 1 or 2 for a total of 2 years. Sections 3 and 13 also require the board of trustees of each school district and the governing body of a charter school to submit the report to the Department and post the report on the Internet website maintained by the school district or charter school, as applicable.</p>	<p>One of the most important pieces of this legislation is that each school board and governing body of a charter school must prepare a plan to improve the literacy of students enrolled in kindergarten as well as first, second, and third grades. The plan must be submitted to the Department of Education for approval.</p> <p>At each school site, the principal must designate a licensed teacher at the school to serve as a learning strategist to help other teachers at the school with effective strategies for students at the school who have been identified as deficient in reading skills.</p> <p>Additional compensation can be provided to learning strategists or other teachers whose overall performance is "highly effective."</p> <p>Teachers of kindergarten, first, second, and third grade students can be mandated to complete professional development that may be prescribed by the State Board of Education.</p> <p>If a student in kindergarten, first, second, or third grade is found to be deficient in reading, the principal of the school must make the parent or guardian aware of that deficiency as well as to establish a plan to address the deficiency and monitor his/her progress.</p> <p>If a child will be retained in third grade due to his/her reading deficiencies, the principal must provide notice to the parent or guardian.</p> <p>The board of trustees or governing body of a charter school must determine the intensive instructional services that the principal of a school is required to implement for a child who is retained in third grade.</p> <p>The principal must offer the parent or legal guardian various instructional options.</p> <p>Various reports are required, including information about retention in grade three based on deficiency in reading. The report must</p>	<p>Harris, Kieckhefer, Farley, Roberson, Woodhouse; Atkinson, Denis, Ford, Goicoechea, Gustavson, Kihuen, Lipparelli, Manendo, Parks, Settelmeyer, Spearman, and Elliot Anderson NRS 385</p>
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		<p>be posted on the Internet website maintained by the school district or charter school.</p> <p>This act becomes effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act and for all other purposes. Sections 4 to 9, inclusive, and 15 of this act become effective on July 1, 2015. Sections 1, 2, 3 and 10 to 14, inclusive, of this act become effective on July 1, 2019.</p>	
	<p>Guidance Memo re Early Literacy from Dale Erquiaga, State Superintendent of Public Instruction [July 23, 2015]: <i>The design and intent of Senate Bill 391 is to immediately begin to build or align: (1) support systems for early literacy, (2) a district/charter school policy framework to support the implementation of programs within schools, and (3) a communications plan to ensure parents are meaningfully engaged. The immediacy of this work is reflected in those sections of the bill that are effective July 1, 2015.</i></p> <p><i>Generally speaking, the sections of the bill that prescribe the retention of students who do not meet one of the literacy proficiency standards become effective July 1, 2019 in order for students and schools to benefit from the many programs initiated or expanded in the 2015-2017 biennium. The sections of the law effective July 1, 2015 apply to all districts and charter schools; the Department will use the competitive grant cycle in 2015-2016 to aid in the development and refinement of many tools (e.g., literacy plans, sample policy, sample communications) that will assist districts and charter schools in their continuous implementation of this law.</i></p> <p><i>Senate Bill 515, Section 26, provides for an appropriation to carry out to provisions of Senate Bill 391 of \$4,879,489 in Fiscal Year 2015-2016 and \$22,250,574 in Fiscal Year 2016-2017. SB 391, Section 15, provides a means by which the Department must distribute the allocated funds to carry out the provision of SB391 on a competitive basis and provides a list (Sec. 15. 1(a) – (e)) of school-based efforts that may be funded with each award. Senate Bill 391, Section 6, requires that the principal of an elementary school, including a charter school, designate a licensed teacher employed by the school to serve as the school’s learning strategist. The specific requirement to have a designated learning strategist applies to all elementary schools and is not tied to the award of a competitive grant. It is important to note that on July 23 the State Board of Education adopted policy, in advance of regulation, clarifying certain characteristics of the learning strategist role (SB 391, Sec. 6. 4(a-c). Please find the document attached to this memo.</i></p> <p><i>At a future State Board meeting, the Department will recommend that the regulations concerning the learning strategist role (pursuant to its authority in SB 391, Sec. 6 (4)) be crafted in such a way as to accommodate the various contexts within elementary schools across the state. Districts are advised to continue to provide feedback on this initial policy as the learning strategist role is further defined in regulation.</i></p> <p><i>Your letter inquires about the hiring process for a learning strategist. The Department recommends that each district/charter school review the learning strategist information adopted by the State Board and consult with their human resource personnel/department to determine the most effective hiring or designation practices. It is important to note that the learning strategist need not be a “new hire” position; existing teachers are certainly eligible and this would minimize costs.</i></p> <p><i>Districts or charter schools may apply for a competitive grant from the state. The Department anticipates releasing the competitive grant</i></p>		

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	<p><i>application in mid-August and while it is a district application, each district should identify specific schools where the funds will support the implementation of Senate Bill 391. There is no requirement for a district/charter school to apply for this competitive grant. Grants are to be awarded by the Department based on the demonstrated needs of the school district/charter school.</i></p> <p><i>On July 23 the State Board of Education adopted policy, in advance of regulation, under its authority provided for by SB 391 Sec. 5. 1(b), identifying the reading assessments to be used by districts/charter schools. Please find the document attached to this memo. District/charter school requests to add an assessment to the list should contact Richard Vineyard (rvineyard@doe.nv.gov).</i></p> <p><i>Districts are encouraged to continue working with the Department as the state develops a comprehensive PreK-3 early literacy assessment and support system. In consideration of the decisions that are based on the results of a student's grade 3 Criterion Referenced Examination, the timely return of those assessment results is certainly critical. The Department will work with our testing vendor to prioritize the return of these results as soon as practicable.</i></p>		
<p>SB405</p> 	<p>The 77th Session of the Nevada Legislature appropriated money for the Clark County School District and the Washoe County School District to carry out a program of ZOOM elementary schools during the 2013-2015 biennium to provide a comprehensive package of programs and services for children who are limited English proficient or eligible for such a designation. The other school districts and the State Public Charter School Authority were authorized to apply for a grant of money from the appropriation to provide programs and services to children who are limited English proficient or eligible for such a designation. (Section 16.2 of chapter 515, Statutes of Nevada 2013, p. 3418) Section 1 of this bill requires the Clark County School District and the Washoe County School District to continue to carry out a program of Zoom elementary schools and to expand the program to middle schools, junior high schools and high schools during the 2015-2017 biennium. Section 1 also authorizes the other school districts and the governing body of a charter school to apply to the Department of Education for a grant of money from the appropriation by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation for Zoom schools to provide programs and services during the 2015-2017 biennium for children who are limited English proficient or eligible for such a designation. In addition, section 1 requires the State Board of Education to prescribe statewide performance levels and outcome indicators to measure the effectiveness of the programs and services for which money is received by the school districts and charter schools. Finally, section 1 requires the Department to contract for an independent evaluation of the effectiveness of the programs and services provided by the school districts and charter schools that received money. Section 2 of this bill requires the State Board to develop for recommendation as proposed legislation to the 79th Session of the Nevada Legislature a definition of and procedure for reporting pupils who are identified as long-term limited English proficient.</p>	<p>School boards in eligible districts will want to ensure that they apply to the Department of Education for a grant of money for Zoom Schools.</p> <p>Clark and Washoe must expand the Zoom School program to middle, junior high, and high schools during the biennium.</p> <p>The State Board will prescribe statewide performance levels and outcome indicators to measure the effectiveness of the programs and services for which the money is received.</p> <p>In addition, the State Board will provide a list of recruitment and retention incentives for the school districts and the sponsors of charter schools that receive a distribution of money pursuant to this section to offer to teachers and other licensed educational personnel.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Denis, Woodhouse, Manendo, Harris, Kihuen, Atkinson, Ford, Roberson, Segerblom, Smith, Spearman, Diaz, Flores, Elliot Anderson, Bustamante Adams, and Stewart</p>
	<p>Guidance Memo re ZOOM Schools from Dale Erquiaga, State Superintendent of Public Instruction [July 1, 2015]: <i>Senate Bill 405 (SB 405) of the 78th Regular Session expanded programs and services for English Learners across the state, and the bill becomes effective July 1, 2015. Through SB 405, significant increased funding was appropriated for Clark and Washoe County School Districts to continue and expand the programming at Zoom elementary schools and to expand programs and services to secondary schools during the 2015-17 biennium. SB 405 also authorizes school districts other than Clark and Washoe and the governing body of a charter school to apply to the Department of Education for a grant to provide</i></p>		

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	<p>programs and services to eligible children who are English Learners.</p> <p>With the increased focus on program accountability, SB 405 requires the State Board of Education to prescribe statewide performance levels and outcome indicators to measure the effectiveness of the programs and services. SB 405 also requires the Department of Education to contract for an independent evaluation of the effectiveness of the programs and services provided by the school districts and charter schools that received SB 405 funding.</p> <p>Two documents have been sent to provide guidance related to the implementation of SB 405: Nevada Zoom Grant Districts and Nevada's Zoom Schools (Clark and Washoe). Many of the questions asked by Clark County School District in their letter dated June 10, 2015, are addressed in the attached guidance documents. The following questions not specifically answered within the guidance documents will be addressed in future memorandum or action.</p> <ul style="list-style-type: none"> • Full-day Kindergarten – Guidance forthcoming. • Recruitment and Retention Incentives – The State Board of Education will prescribe, through policy in advance of regulation, the list of recruitment/retention incentives at the July 23, 2015 meeting. • Corrective Action for Districts – The State Board of Education will address this responsibility in due course. No district/charter school action is necessary at this time. The Superintendent of Public Instruction maintains the authority to issue Corrective Action in the enforcement of Title 34. • Evidence-based Programs – The approval of programs meeting the evidence-based criteria is addressed within district and school plans submitted to the Department for review and approval. Districts and charter schools are encouraged to review the literature and offer those programs that meet this rigorous standard. • Performance Levels and Outcomes – The State Board of Education will address this responsibility in due course. Within the attached guidance you will find the state theory of action and adopted goals. Districts are encouraged to align strategy to the state goals. • K-3 Assessment System – The State Board of Education will take the first steps in identifying K-3 assessments for literacy under the requirements of Senate Bill 391 at the July 23, 2015 meeting. 		
<p>SB432</p> 	<p>This bill provides for the distribution of money to schools that have high numbers of pupils living in poverty and have received one of the two lowest possible ratings indicating underperformance of a public school, as determined by the Department of Education pursuant to the statewide system of accountability for public schools, for the preceding school year, which are designated as Victory schools. This bill requires each school district in which a VICTORY SCHOOL is designated and the governing body of each charter school that is designated as a Victory school to conduct an assessment of the needs of pupils at such schools and submit a comprehensive plan for meeting those needs by a certain date. This bill allows a comprehensive plan to be submitted at a later date if the school district or governing body submits to the Department a letter of intent to meet the educational needs of pupils enrolled in each Victory school operated by the school district or governing body, as applicable. A Victory school is required to use the money distributed to the school to provide certain programs and services. Existing law requires the principal of each school to prepare a plan to improve the achievement of the pupils enrolled in the school and submit the plan to various entities, including the Superintendent of Public Instruction and the Department of Education. (NRS 385.357) This bill requires the principal of a Victory school to include in such a plan a description of how the money distributed to the school is being used to meet the needs of the pupils at the school. This bill also requires the board of trustees of each school district in which a Victory school is designated and the governing body of each charter school which is designated as a Victory school to submit a report concerning the programs and services provided using the money distributed to the school. This bill requires the Department of Education to contract with an independent evaluator to evaluate the effectiveness of programs and</p>	<p>School boards will want to notice the stated legislative intent set forth in Section 1 of this bill:</p> <ol style="list-style-type: none"> 1. It is the public policy of this State to provide each pupil enrolled in a public school with high-quality instruction. 2. Pupils who live in poverty benefit from attending a school that has a sustained focus on improving pupil achievement using methods that take into account a variety of factors that influence pupil achievement. 3. Pupils who live in poverty should be provided with services and instruction that are designed to address the needs of such pupils so that each such pupil: <ol style="list-style-type: none"> (a) Reads at or above the level of the average pupil in third grade before the pupil completes third grade; (b) Is prepared to engage in a rigorous high school curriculum upon completion of eighth grade; and (c) Graduates from high school with the skills and attributes necessary to immediately succeed in college or a career. 4. The cost of providing additional services to 	<p>Senate Committee on Finance</p>

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	<p>services provided pursuant to this bill and authorizes the State Board of Education to require a Victory school that demonstrates unsatisfactory pupil achievement and school performance to take corrective action. The State Board is also authorized to direct the Department of Education to withhold money if unsatisfactory pupil achievement and school performance continues.</p>	<p>pupils who live in poverty will continue to be studied with the purpose of updating the formula for funding schools as necessary.</p> <p>The amount distributed per pupil must be determined by dividing the amount of money appropriated to the Account by the total number of pupils who are enrolled in Victory Schools statewide.</p> <p>The board of trustees in which a Victory School is located must, as soon as practicable after designation, conduct an assessment of the needs of pupils that attend that school. The assessment must include input from the community served by the school and identify any barriers to improving achievement and school performance and strategies to meet the needs of pupils at the school.</p> <p>For each designated Victory School, the board of trustees must submit a comprehensive plan for meeting the educational needs of pupils enrolled in each Victory School. Various pieces are designated for inclusion in the plan.</p> <p>If the board does not submit a plan for a designated Victory School on or before August 15, 2015, the board may submit a letter of intent to meet the educational needs of pupils enrolled in each Victory School. Specifics for inclusion in the letter are listed on pages 4-5.</p> <p>The Victory School must use its money for specific purposes listed on pages 5-6.</p> <p>The State Board shall require a Victory school to take corrective action if pupil achievement and school performance at the school are unsatisfactory, as determined by the State Board. If unsatisfactory pupil achievement and school performance continue, the State Board may direct the Department to withhold any additional money that would otherwise be distributed.</p> <p>The board of trustees of each school district in which a Victory School is designated must</p>	
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		<p>submit a report to the Legislative Committee on Education including information specified on page 7.</p> <p>This act becomes effective upon passage and approval.</p>	
	<p>Guidance Memo re Victory Schools from Dale Erquiaga, State Superintendent of Public Instruction [July 1, 2015]: <i>Senate Bill 432 (SB 432) of the 78th Regular Session is a pilot program aimed at improving outcomes for students in poverty and providing the state with critical performance and spending information as the state modernizes the Nevada Plan. SB 432 is effective July 1, 2015 and provides an exciting opportunity for districts and schools to address the barriers to improved school performance. Because of additional challenges for low-income students, SB 432, the Victory Schools program, is designed to meet student needs at the lowest performing schools within the highest poverty zip codes throughout Nevada. The goals of the program focus on students reading at grade level, being prepared for rigorous curricula, and graduating from high school with the skills and attributes necessary to immediately succeed in college or a career. School districts are required to provide comprehensive plans that address the specific needs of their students in order to achieve these goals and are accountable for a school's progress against established outcome indicators.</i></p> <p><i>The Department has provided a document intended to advise on implementation of SB 432. Many of the questions asked by Clark County School District in their letter dated June 10, 2015, are addressed in the attached guidance document. The following questions not specifically answered within the guidance document are addressed below.</i></p> <ul style="list-style-type: none"> • <i>Independent Evaluation of Victory – Given the focus on accountability and the required external evaluation of a number of programs, the Department will issue a Request for Proposal seeking an external evaluator(s) to serve the state's needs. The process for selecting a vendor is dictated by state procurement rules.</i> • <i>K-3 Assessment System – The State Board of Education will take the first steps in identifying K-3 assessments for literacy under the requirements of Senate Bill 391 at the July 23, 2015 meeting.</i> • <i>Incentives – If the comprehensive needs assessment determines incentives for hiring teachers and other licensed personnel is a strategy to pursue then Victory funds may be used. Recruitment and Retention Incentives – The State Board of Education will prescribe, through policy in advance of regulation, the list of recruitment/retention incentives at the July 23, 2015 meeting.</i> <p>[Please also see Nevada's Victory Schools Guidance Memo, July 2015.]</p>		
BULLYING and SCHOOL SAFETY			
<p>AB49</p> 	<p>Sections 1-6.5 of this bill establish the crime of unlawful dissemination of an intimate image of a person. Section 3 defines the term "intimate image" generally as a photograph, film, videotape or other recorded image, or any reproduction thereof, which depicts: (1) the fully exposed nipple of the female breast of another person; or (2) one or more persons engaged in sexual conduct. Section 3 also provides that an image which would otherwise constitute an intimate image is not an intimate image if the person depicted in the image: (1) is not clearly identifiable; (2) voluntarily exposed himself or herself in a public or commercial setting; or (3) is a public figure. Section 5 provides that a person commits the crime of unlawful dissemination of an intimate image and is guilty of a category D felony when, with the intent to harass, harm or terrorize another person, the person electronically disseminates or sells an intimate image which depicts the other person and the other person: (1) did not give prior consent to the electronic dissemination or sale; (2) had a reasonable expectation that the intimate image would be kept private and would not be made isible to the public; and (3) was at</p>	<p>School boards may wish to consider directing the superintendent to review student handbooks to ensure that information about these changes in statute are included in an age appropriate manner so that students and educational staff are aware of these statutory provisions.</p> <p>The board may also wish to carefully review district policy to ensure that appropriate language and definitions are used in accordance with this bill.</p> <p>Additional information may be required for school administrators, counselors, and others as appropriate in order to ensure compliance with these provisions.</p>	<p>Assembly Committee on Judiciary NRS 200</p>

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	<p>least 18 years of age when the intimate image was created. Section 5 also sets forth certain exceptions regarding when an intimate image may be lawfully electronically disseminated. Under section 6, a person is guilty of a category D felony if he or she demands payment of money, property, services or anything else of value from a person in exchange for removing an intimate image from public view. Section 6.5 provides that the provisions of sections 1-6 must not be construed to impose liability on an interactive computer service, as the term is defined in federal law. Existing law also provides that a person who commits any act of open or gross lewdness or who makes any open and indecent or obscene exposure of his or her person, or of the person of another, is guilty of a gross misdemeanor for the first offense and a category D felony for any subsequent offense. (NRS 201.210, 201.220) Under sections 13 and 14 of this bill, if a person commits any such offense and he or she has previously been convicted of a sexual offense, or if the person commits any such offense in the presence of a child under the age of 18 years or a vulnerable person, the person is guilty of a category D felony. Additionally, under existing law, a person who commits certain acts with a child under the age of 14 years is guilty of lewdness with a child and is guilty of a category A felony. (NRS 201.230) Section 15 of this bill provides that a person is guilty of lewdness with a child if the person: (1) is 18 years of age or older and commits certain acts with a child under the age of 16 years; or (2) is under the age of 18 years and commits certain acts with a child under the age of 14 years. Section 15 also provides that if a person commits lewdness with: (1) a child under the age of 14, he or she is guilty of a category A felony; and (2) a child who is 14 or 15, he or she is guilty of a category B felony. Section 7 of this bill revises the definition of the term "statutory sexual seduction," and section 8.5 of this bill revises the penalties imposed for the crime of statutory sexual seduction.</p>	<p>The amendatory provisions of this act become effective on October 1, 2015.</p>	
<p>AB112</p> 	<p>The Department of Education is required to prescribe a policy for all school districts and public schools to provide a safe and respectful learning environment that is free of bullying, cyber-bullying and violence. (NRS 388.121-388.145) Section 1 of this bill expands the goals to establish a safe and respectful learning environment in public schools in this State to include ensuring that the quality of instruction is not negatively impacted by poor attitudes or interactions among administrators, principals, teachers or other personnel of a school district. Section 2 of this bill requires the policy prescribed by the Department for all school districts and public schools to provide a safe and respectful learning environment to include methods to promote a positive learning environment.</p>	<p>Each board may wish to review its policies to ensure that this new requirement is included in appropriate policy/regulation.</p> <p>The legislative intent set forth in Sections 1 and 2 may also require additional professional development or training for educational staff.</p> <p>This act becomes effective on October 1, 2015.</p>	<p>Elliot Anderson NRS 388</p>
<p>AB205</p>	<p>Existing law creates the Legislative Committee on Education. The Committee meets during the legislative interim to evaluate, review and comment upon issues related to education in this State. (NRS 218E.600-218E.615) This bill requires the Committee, during the 2015-2016 legislative interim, to consider guidelines, parameters and financial plans for certain mentorship programs in this State to aid in addressing issues relating to education, college and career readiness, health, criminal justice and employment with respect to children residing in this State, including, without limitation, children who are disproportionately at risk of: (1) being deprived of the opportunity to develop and maintain a competitive position in the economy; (2) failing to make adequate yearly progress in school; or (3) entering the juvenile justice system.</p>	<p>Boards may wish to provide input to the Interim Legislative Committee on Education regarding the issues mentioned in this bill. It is likely that the discussions by this Interim Committee will result in future bill draft requests for the 2017 Session.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Thompson, Flores, Araujo, Diaz; Elliot Anderson, Joiner, Spiegel and Swank</p>

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AB206	<p>Existing law requires the principal of a public school or his or her designee to provide written notice to the parent or legal guardian of any pupil involved in a bullying or cyber-bullying incident on the premises of the school, at an activity sponsored by the school or on a school bus. (NRS 388.135, 388.1351) Section 1 of this bill requires the principal of a public school or his or her designee to provide a list of any resources that may be available in the community to assist a pupil to each parent or legal guardian of a pupil to whom written notice was provided, if such information is available. Existing law also requires public school authorities to notify the parent or guardian of a child who is found or believed to have scoliosis, any visual or auditory problems or any gross physical defect. (NRS 392.420) Section 2 of this bill requires any written notice required pursuant to these provisions to include a list of any resources that may be available in the community to provide appropriate medical attention, if such information is available.</p>	<p>Each board will want to ensure that administrators are provided with lists of the resources prescribed by this bill and are aware of their responsibility to distribute this information as appropriate.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Spiegel, Swank; Carrillo, Joiner, Kirkpatrick, Ohrenschall, Oscarson, Sprinkle and Thompson NRS 388</p>
SB205 	<p>Existing law requires the State Board of Education to develop a plan for the management of a crisis or an emergency that involves a public or private school. (NRS 392.640) Section 3 of this bill instead requires the Department of Education to develop a model plan for the management of a crisis or an emergency that involves a public school or private school. Section 3 requires this model plan to include certain procedures, plans and information. Existing law requires the board of trustees of each school district or the governing body of a charter school or private school to establish a development committee to develop a plan to be used by a school in responding to a crisis or an emergency. (NRS 392.616, 392.620, 394.1685, 394.1687) Sections 1.7 and 7 of this bill require such plans to include, without limitation, the plans, procedures and information included in the model plan developed by the Department. Existing law requires each development committee to: (1) review and update the plan it developed for the management of a crisis or an emergency; (2) post a notice of the completion of such a review at each school; and (3) provide a copy of the plan to the State Board. (NRS 392.624, 394.1688) Sections 2 and 8 of this bill remove the requirement that a development committee provide a copy of each plan to the State Board and instead requires each committee to file a copy of the notice of completion of its review with the Department. Sections 4-6 of this bill make conforming changes to refer to the model plan developed by the Department.</p>	<p>Each board will want to ensure that any existing plan for the management of a crisis or an emergency involving a public school includes the procedures, plans, and information adopted by the State Board. Boards will want to be involved in the State Board of Education discussion regarding model plans.</p> <p>Each board will need to follow the requirements in Sections 1.7 and 7 regarding review, notice, updating, and other specifics as well as providing the plan to the State Board.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Senate Committee on Education NRS 392</p>
SB338 	<p>This bill requires the Director of the Office for a Safe and Respectful Learning Environment within the Department of Education to establish the Safe-to-Tell Program to enable the anonymous reporting of dangerous, violent or unlawful activity, or threats thereof, in or at a public school; prohibiting the release of records or information of the Program except under certain circumstances; creating and providing for the expenditure of money from the Safe-to-Tell Program Account; requiring the Director of the Office for a Safe and Respectful Learning Environment to post on the Internet website maintained by the Department a list of each gift or donation received for deposit in the Account and the name of each donor; creating and providing duties for the Safe-to-Tell Program Advisory Committee; providing penalties; and providing other matters properly relating thereto.</p>	<p>NASB has the opportunity to name two representatives to the Advisory Committee for the purpose of establishing the anonymous reporting system described in the bill.</p> <p>Based upon the system developed, each board may need to review and/or develop policy to ensure that the chain of communication for reports made to the Safe-to-Tell Program are investigated and reported in the method determined.</p> <p>Section 7.5 of this act becomes effective: (1) Upon passage and approval for the purpose</p>	<p>Smith, Woodhouse, Ford, Kihuen, Parks; Atkinson, Denis, Manendo and Spearman Joint Sponsors: Assemblymen Sprinkle; Elliot Anderson,</p>

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		<p>of appointing the members of the Safe-to-Tell Program Advisory Committee created pursuant to that section; and (2) On July 1, 2015, for all other purposes. (b) Expires by limitation on December 31, 2016. Sections 1 to 7, inclusive, of this act become effective (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and (b) On January 1, 2016, for all other purposes.</p>	<p>Araujo, Carrillo, Diaz, Flores, Joiner, Munford and Swank NRS 392</p>
SB394	<p>Sections 15 and 16 of this bill require pupils in public schools to be provided with age-appropriate instruction in personal safety. Section 15 requires the Department of Education, in consultation with persons and organizations who possess knowledge and expertise in the personal safety of children, to develop age appropriate curriculum standards for teaching personal safety to children. The Department must also develop recommendations to assist a school district or a charter school to develop and implement various programs related to the personal safety of children. Section 16 requires the board of trustees of each school district and the governing body of each charter school to ensure that instruction on the personal safety of children be carried out as part of a course of study in health and based on the standards developed by the Department. The school district or charter school is required to determine the appropriate grade levels, course content and materials for such instruction, and the instruction must be provided by: (1) a licensed teacher; (2) an employee of the school district with special knowledge or training in the teaching of personal safety to children; (3) an employee of an agency which has as its primary purpose the teaching of personal safety to children; (4) an employee of a law enforcement agency; or (5) a volunteer of an agency which has as its primary purpose the teaching of personal safety to children who has undergone a background investigation and has special training in the teaching of personal safety. Section 16 also provides that the parent or guardian of each pupil to whom such instruction will be provided must be notified of such instruction and provided with an opportunity to review the instructional materials to be used and to submit a written request that the pupil be excused from the instruction, unless the course in which the instruction is provided is required for graduation. Finally, section 19 of this bill gives the Department until July 1, 2016, to develop the age-appropriate curriculum standards, and gives the board of trustees of each school district and the governing board of each charter school until July 1, 2020, to begin providing instruction in the personal safety of children.</p>	<p>Currently in NRS 389, the advisory committee on sex education in each district makes recommendations to the board of trustees regarding the curriculum for sex education then the board acts upon those recommendations.</p> <p>Section 15 of this bill requires the State Board of Education to work with appropriate individuals who have expertise in the personal safety of children to develop age appropriate curriculum standards to assist each school district and charter school in developing and implementing various programs related to the personal safety of children.</p> <p>As with other sex instruction, parents and guardians must be notified about the instructional materials to be used. Parents may choose to opt-out for their children.</p> <p>This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act. All other sections become effective on January 1, 2016, for all other purposes.</p>	<p>Roberson, Hardy, Farley, Hammond, Harris, Hickey, and Woodbury NRS 396, 389, and 432B</p>
SB504 	<p>This bill amends a number of provisions, and provides new provisions, regarding bullying and cyber-bullying in the public schools of this State. Existing law provides grounds by which licensed teachers and administrators may be disciplined. (NRS 391. 31297) Sections 2, 14 and 16 of this bill provide for disciplinary and licensure proceedings against teachers, administrators, principals, coaches or other staff members who knowingly and willfully fail to comply with applicable provisions of law regarding bullying and cyber-bullying. Section 3 of this bill provides that a</p>	<p>The many new pieces of this bill require local school boards to review and perhaps completely revise existing policies regarding bullying and cyber-bullying as well as the protocol(s) for investigation of such alleged incidents.</p> <p>Students, their families, and educational staff</p>	<p>Senate Committee on Finance NRS 391</p>

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	<p>parent or guardian of a pupil may petition a court of competent jurisdiction for a writ of mandamus to compel the performance by a school official of any duty imposed by law regarding bullying and cyber-bullying. Section 4 of this bill creates the Office for a Safe and Respectful Learning Environment within the Department of Education. The Office must maintain a 24-hour, toll-free hotline and an Internet website by which a person may report an incident of bullying or cyber-bullying or receive information regarding antibullying efforts and organizations. The Office must also provide outreach and antibullying education and training. The Director of the Office, who is appointed by and serves at the pleasure of the Superintendent of Public Instruction, must establish procedures by which the Office may receive reports and complaints regarding bullying and cyber-bullying, and the Director or his or her designee must investigate any complaint that a teacher, administrator, principal, coach or other staff member has violated applicable provisions of law regarding bullying or cyber-bullying. Section 6 of this bill amends the definition of "bullying" for the purposes of provisions of law regarding bullying. Section 12 of this bill changes requirements regarding the reporting and investigation of an incidence of bullying or cyber-bullying. Under section 12, a principal, or his or her designee, who receives a report of bullying or cyber-bullying must immediately take any necessary action to stop the bullying or cyber-bullying and ensure the safety and well-being of any reported victims. Before the end of that or the next school day, the principal or designee must notify the parents or guardians of every pupil reported to be involved in the bullying or cyber-bullying, as applicable, or make a good faith effort to do so if the contact information for the parent or guardian in the records of the school is not correct. The principal or designee must interview all of the pupils reported to be involved and the parents or guardians of those pupils, and the investigation must be completed within 2 school days after receiving the report of the bullying or cyber-bullying or within 3 school days if any of the persons is unavailable to be interviewed. After completing the investigation, the principal or designee must complete a written report of the investigation. Subject to applicable federal privacy laws, the report must be made available to the parents or guardians of all the pupils who were reported to be involved in the bullying or cyber-bullying, as applicable.</p>	<p>will need to be notified appropriately about these changes, especially the changes in Section 6 for the definition of "bullying," so that there are no surprises about actions and consequences.</p> <p>It is important for the board to ensure that training is provided for appropriate school staff regarding the new requirements for investigating alleged incidents of bullying and cyber-bullying. The parental notification piece to this process is critical. Greater communication will be necessary to ensure that the investigation is completed within 2 school days after receipt of the report of bullying and/or cyber-bullying or within 3 school days if an individual who needs to be interviewed is unavailable for interview.</p> <p>Funding in SB515 has been included to hire appropriate staff in the categories shown below to assist with the investigation, intervention, prevention, and responses to bullying and cyber-bullying. For purposes of the allocations of sums for the block grant program described in subsection 2 of SB515, eligible licensed social or other mental health workers are defined as the following:</p> <ul style="list-style-type: none"> (a) Licensed Clinical Social Worker; (b) Social Worker; (c) Social Worker Intern with Supervision; (d) Clinical Psychologist; (e) Psychologist Intern with Supervision; (f) Marriage and Family Therapist; (g) Mental Health Counselor; (h) Community Health Worker; (i) School-Based Health Centers; and (j) Licensed Nurse. <p>This act becomes effective on July 1, 2015.</p>	
	<p>Guidance Memo re Licensed Mental Health Workers from Dale Erquiaga, State Superintendent of Public Instruction [June 19, 2015]: <i>Senate Bill 515, Section 23, and Senate Bill 504 – Licensed Mental Health Workers</i> <i>As stated numerous times in public testimony, the block grants contemplated for this program will be distributed based on the administration of a mental health survey or "screener" to be administered in the fall of 2015. With limited funding available, certain high-need schools will be identified from the survey results. Some schools will be funded in the first year, more in the second year. When the first grants are released, tentatively December-January of the upcoming school year, definitions, restrictions, and reporting requirements will be included. You need take no further action until you are contacted regarding the survey administration.</i></p>		
	<p>Guidance Memo re Safe and Respectful Learning Environment from Dale Erquiaga, State Superintendent of Public Instruction [July 17, 2015]: <i>The Office for a Safe and Respectful Learning Environment now exists within NDE. The Office is required to maintain a 24-hour hotline and website by which anyone can report bullying and/or cyber-bullying. The website is already accessible through the Nevada Department of Education home page. A hotline</i></p>		

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phone number will be forthcoming, pending State procurement and financing processes. All districts have the right to advertise this website as well as the hotline number (when available) rather than maintaining a website and/or hotline for themselves; however, districts may choose to maintain their own hotlines and websites. NDE will make every effort to seamlessly link constituents between the online and phone environments in order minimize confusion.

Information received from online and phone reports will be forwarded to the appropriate local official. Should information be forwarded to a school administrator or designee, upon receipt from NDE that administrator or designee shall consider a report as having been made and begin following the procedures as outlined in SB 504 for responding to a report, including the relevant timelines. Complaints to the State The Office for a Safe and Respectful Learning Environment shall establish procedures for receiving reports and complaints regarding violations of the laws governing Safe and Respectful Learning Environments.

In general, the Office is required to respond to two types of reports or complaints:

- (1) If a student has been found to have been the aggressor in a reported violation of NRS 388.135, the parent or guardian may appeal any disciplinary decisions made by the district, according to local board-adopted policies. Not later than 30 days after receiving the resolution from that appeal, the parent or guardian may submit a complaint asking to appeal the disciplinary decision to the Office for a Safe and Respectful Learning Environment.
- (2) If a teacher, administrator, principal, coach, or other staff member or member of a board of trustees has violated a provision of NRS 388.121 to 388.145, the Office for a Safe and Respectful Learning Environment may receive and shall investigate a complaint after the matter has first been addressed at the school and local district levels. Procedures similar to the student discipline appeals described above will apply at the State level.

These procedures will be prescribed as regulations; that process will begin with a workshop on August 13. Until such time as the regulations are adopted, the Office has provided Interim Complaint Procedures (see attachment). During the regulation development process, NDE would appreciate advice from the districts on when and how to provide investigation/complaint reporting and other matters.

Professional judgment, training, and context must continue to be a part of any bullying and reporting analysis. What constitutes a “single severe and willful act” may encompass an intentional and observable physical act that results in harm to a student, but may also occur if it results in a reasonable fear of harm or substantially interferes with a student’s learning. NRS 388.122 provides specific guidance to illustrate what acts may constitute bullying.

While an act of bullying is not in itself a crime in Nevada, it may in certain severe situations encompass behaviors that are crimes and carry criminal penalties. Such behaviors may include harassment (NRS 200.571), battery (NRS 200.481), stalking (NRS 200.575), and cyber bullying (NRS 200.900). In those instances, the assistance of trained law enforcement professionals may become necessary.

Schools are encouraged to work in conjunction with their law enforcement agencies to handle these cases; however, they are to consider these offenses bullying when they fit within the parameters of the definition. Thus, administrators should immediately take action to stop the bullying or cyberbullying, ensure the proper notification, and perform an investigation. This does not mean that law enforcement will not be doing an investigation as well, so districts and administrators should work with their local law enforcement agencies to determine the proper procedures in these instances.

Districts and charter schools should consult local legal counsel if you are interested in more clarification on this or other points regarding the interpretation of SB 504. Timelines in SB 504 are specific to reporting, notifying parents, and investigating student bullying incidents. The policy should establish an alternate contact if students feel they are bullied by an administrator, since the law requires that individual to conduct an investigation. Complaints cannot come to the NDE Office until they have run their local course, however. Instances of adult-on-adult bullying should be treated as disciplinary issues and dealt with according to local policy and employment; they are not subject to appeal or investigation by the Office for a Safe and Respectful Learning Environment. NDE will provide additional information in future training but districts are not absolved from a common application of the law and a plain reading of statutes in consultation with their legal counsel. A careful reading of AB 112 is also in order to ensure that adults as well as students are being treated fairly under the provisions of these statutes. The Office for a Safe and Respectful Learning Environment is not intended to replace or supersede any polices, laws,

	<i>or remedies for redress of school employee, human resource, or other workplace issues. Questions concerning mandatory versus discretionary discipline and the purview of the Nevada Equal Rights Commission or any federal agency should be directed to local legal counsel.</i>	
	Guidance Memo re Social Worker Grants from Dale Erquiaga, State Superintendent of Public Instruction [July 17, 2015]: <i>SB 515 will provide funding for contracts for licensed school social workers or other mental health professionals for schools with identified needs in the area of school climate. A School Climate/Social and Emotional Learning survey will be administered to students in the fall of 2015 to help identify priority needs/schools. An “intent to apply” memorandum will soon be sent to all districts to determine interest in applying for the Fiscal Year 2015-2106 grant allocations, which are expected to be issued in January 2016. Districts wishing to apply should respond to that memorandum and will then be included in the first pilot survey. This will allow NDE to distribute funds to high need schools and to gather necessary baseline data to be used to monitor this program. Further procedures for applying for the block grant will be issued at a future date.</i>	

CHARITABLE ORGANIZATIONS

AB50 	<p>Section 14 requires every charitable organization that intends to solicit tax deductible charitable contributions in this State, other than certain types of charitable organizations exempted by section 15, to register with the Secretary of State by filing certain information and a financial report with the Secretary of State before the charitable organization first solicits a charitable contribution in this State or has a charitable contribution solicited in this State on its behalf by another person and annually thereafter. In certain circumstances, section 14 authorizes a charitable organization to submit a copy of its Form 990 as filed with the Internal Revenue Service for the most recent fiscal year as its financial report. Section 18 requires the Secretary of State to make available the information and financial report on the Secretary of State’s Internet website. Existing law requires a person soliciting a contribution for or on behalf of a charitable organization or nonprofit corporation to make certain disclosures, and provides that under certain circumstances, a failure to make such disclosures is a deceptive trade practice. (NRS 598.1305) Sections 16 and 17 revise the types of charitable and nonprofit organizations to which this requirement applies and exempt certain solicitations from this requirement. Sections 16 and 25 further provide that a failure to make the required disclosures is no longer a deceptive trade practice, and transfer primary jurisdiction for enforcing the disclosure requirement from the Attorney General to the Secretary of State.</p>	<p>NASB is subject to the new requirements set forth in AB50. Meeting these provisions will take more time on the part of the Association’s Business Manager.</p> <p>Moreover, 501(c) (3) organizations sponsored by parent groups, educator groups, etc. that intend to solicit tax deductible charitable contributions are also impacted by this new law.</p> <p>School boards may wish to consider making this information available to appropriate groups working on behalf of educational organizations within the school district.</p> <p>The act becomes effective upon passage for purposes of adopting regulations, etc. and on October 1, 2015, for all other purposes.</p>	<p>Assembly Committee on Judiciary NRS 82</p>
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CHARTER SCHOOLS

AB351	<p>Existing law authorizes the Director of the Department of Business and Industry to issue bonds and other obligations to finance the acquisition, construction, improvement, restoration or rehabilitation of property, buildings and facilities for charter schools if certain criteria are met. Existing law requires a charter school for whose benefit a project is being financed to have received, within the immediately preceding 3 consecutive school years, one of the two highest ratings of performance pursuant to the statewide system of accountability for public schools. (NRS 386.630, 386.632, 386.634) Section 1.8 of this bill instead requires a charter school for whose benefit a project is being financed to have received, within the immediately preceding 2 consecutive school years, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools. Sections 1-1.4 and 2.2-2.8 of this bill clarify</p>	<p>This bill expands the opportunities for charter schools to obtain funding through the Department of Business and Industry. Rather than requiring three consecutive years of achievement at one of the two highest levels, the statute now requires only two consecutive years of achievement at one of the three highest levels.</p> <p>Language not to bind future Legislatures to continue to apportion funds to charter schools has also been included.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Dickman, Moore, Dooling; Edwards, Ellison, Gardner, Hansen, Jones, Kirner, Munford, Oscarson, Shelton, Titus,</p>
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	<p>that the Director of the Department of Business and Industry has the authority to administer the Charter School Financing Law. (NRS 386.612-386.649) Under existing law, the State pledges not to repeal, amend or modify the Charter School Financing Law in a way that impairs any outstanding bonds until all the bonds have been discharged in full or provisions for their payment and redemption have been fully made. (NRS 386.646) Section 3.3 of this bill clarifies that such a pledge must not be construed to bind the State or the Legislature to continue to apportion funds to charter schools or to maintain such apportionments at any existing levels.</p>		<p>Wheeler, Hardy, and Settlemeyer NRS 386</p>
<p>AB448</p> 	<p>Section 17 of this bill creates the ACHIEVEMENT SCHOOL DISTRICT within the Department of Education, and section 18 of this bill requires the Superintendent of Public Instruction to appoint an Executive Director as the chief of the Achievement School District. Section 19 of this bill establishes the Account for the Achievement School District in the State General Fund. Section 20 of this bill requires the Executive Director to make a list of public schools that demonstrate unsatisfactory pupil achievement and school performance for consideration for conversion to achievement charter schools and submit the list to the State Board of Education for approval. The list must include 20 percent of schools that meet certain criteria, and the State Board must approve for consideration at least 50 percent of the schools on the list. Section 20 authorizes the Executive Director to select up to six of the schools approved by the State Board for conversion to achievement charter schools after: (1) considering data concerning pupil achievement and school performance for the school; (2) considering input from parents of pupils enrolled at the school and other members of the community in which the school is located; and (3) consulting with the board of trustees of the school district in which the school is located. Existing law prohibits the conversion of an existing public school to a charter school. (NRS 386.505, 386.506) Sections 11 and 23 of this bill provide that these provisions do not apply to an achievement charter school, thereby allowing the conversion of an existing public school to an achievement charter school. Section 21 of this bill requires the Executive Director of the Achievement School District to evaluate applications and enter into a contract with a charter management organization, educational management organization or other person to operate an achievement charter school. Section 21 also requires the Department to adopt regulations prescribing the process for applying to operate an achievement charter school, which must allow for certain applicants to submit one application to operate more than one achievement charter school. Section 21.5 of this bill provides that the Achievement School District is deemed the sponsor of an achievement charter school and requires the operator of an achievement charter school to appoint a governing body of the achievement charter school. Section 21.5 provides that the governing body may consist of any persons chosen by the operator of the achievement charter school, with certain restrictions. Section 22 of this bill requires the principal of an achievement charter school to determine whether to offer employment at the achievement charter school to the former employees of the public school. Any such employees who are not offered employment at the achievement charter school must be reassigned to another public school in the district. Section 22 also requires the board of trustees of a school district to allow an achievement charter school to operate in the building in which the school was located before conversion to an achievement charter school without compensation and continue to pay capital expenses for the</p>	<p>Section 1 of this bill sets forth the legislative intent of the changes to NRS 385: "The Legislature reaffirms its intent that public education in the State of Nevada is essentially a matter for local control by school districts. The provisions of this title are intended to reserve to the boards of trustees of local school districts such rights and powers as are necessary to maintain control of the education of the children within their respective districts. These rights and powers may only be limited by other specific provisions of law." AB448 then sets into place a series of provisions that remove local control from the hands of boards of trustees in which one of the six schools is located that will be moved to the control of the Achievement School District.</p> <p>The stated legislative intent also invites each board of trustees to advise the Legislature at each regular session of any recommended legislative action to ensure high standards of equality of educational opportunity for all children in the State. It will be important for local boards to direct the superintendent to document each step or stage of the Achievement School District process so that recommendations can be made to the Legislative Committee on Education before the 2017 Session.</p> <p>New policy and/or regulation will be needed to address the use of school district facilities by a charter school, particularly one with which the Director of the Achievement School District has entered into a contract with a charter management organization, educational management organization, or other person.</p> <p>It is possible that revised policies and/or regulations will be needed to address what</p>	<p>Assembly Committee on Education NRS 354, 385, and 656A</p>

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	<p>building. The achievement charter school is required to pay for maintenance and operation of the building. Section 22: (1) provides that the board of trustees of a school district is not required to give priority to a capital project at a school that is selected for conversion to an achievement charter school; and (2) prohibits the board of trustees of a school district from reducing the priority of any such capital project that existed before the school was selected for conversion. Section 22 also provides that any pupil who was enrolled in a school before conversion to an achievement charter school must be enrolled in the achievement charter school unless the parent or guardian of the pupil submits written notice that the pupil will not continue to be enrolled at the school. Finally, section 22 limits the amount of loans, advances or other monetary charges that the governing body of an achievement charter school may authorize to be paid to the operator of the achievement charter school. Section 61 of this bill makes the right of a school district to reassign employees who are not retained by an achievement charter school outside the scope of collective bargaining. Sections 3-8 and 23 of this bill require an achievement charter school to participate in the statewide system of accountability for public schools.</p>	<p>happens to employees of the school that is converted to the Achievement School District and not offered employment at the school.</p> <p>The board may also need to develop appropriate contracts or agreements about the maintenance of the facility in which the Achievement School is located.</p> <p>This act becomes effective on passage and approval for the purpose of adopting regulations and carrying out any other preparatory administrative tasks necessary to implement the provisions of this act and on July 1, 2016, for all other purposes.</p>	
SB200	<p>Existing law authorizes the formation and operation of charter schools. (NRS 386.490-386.610) Before enrolling children who are otherwise eligible for enrollment, existing law authorizes a charter school to enroll a child if he or she is the child of: (1) an employee of the charter school; (2) a member of the committee to form the charter school; or (3) a member of the governing body of the charter school. (NRS 386.580) This bill authorizes a charter school to give the same preference in enrollment provided to such children to a child of a person who resides on or is employed on a federal military installation if the charter school is located on such property.</p>	<p>Information only.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Hammond and Denis NRS 386</p>
SB208	<p>With certain exceptions, section 1 of this bill requires the governing body of a new charter school to send notice at least 45 days before the charter school begins accepting applications for enrollment to the home of the parent or legal guardian of any child who resides within 2 miles of the charter school stating when the charter school will begin accepting applications for enrollment and providing certain information concerning the application and enrollment process. Section 1 also requires this notice to be sent when an existing charter school expands enrollment by at least 10 percent or opens a new facility and requires the notice to be provided in the languages primarily spoken in the households to which such notice is provided, to the extent practicable. Section 3.5 of this bill requires a lottery held to determine which applicants may enroll in a charter school to occur not sooner than 45 days after the date on which the charter school begins accepting applications for enrollment unless the sponsor of a charter school determines there is good cause to hold it sooner. Existing law authorizes the parent or legal guardian of any child who resides in this State to submit an application for enrollment in a charter school to the governing body of the charter school. (NRS 386.580) Section 3.5 clarifies that a parent or legal guardian is authorized to submit such an application annually.</p>	<p>Section 1 of this bill sets forth the requirement that the governing body of a new charter school must send notification at least 45 days before the charter school begins to accept applications to any child who resides within 2 miles of that charter school, explaining when the charter school will accept applications and other information about enrollment as appropriate.</p> <p>Other matters related to enrollment are clarified.</p> <p>This act becomes effective July 1, 2015.</p>	<p>Harris, Hardy, Gustavson, Denis, Farley, Hammond, and Settelmeyer NRS 386</p>

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<p>SB390</p>	<p>This bill revises provisions governing the preferences for enrollment in a charter school by authorizing a preference for a pupil who is enrolled in a public school of a school district that is over its intended capacity for enrollment by a certain percentage and for a pupil who is enrolled in certain underperforming public schools; requiring each school district to post a list of each public school of the school district that is over its intended capacity for enrollment, if any; and providing other matters properly relating thereto.</p>	<p>This bill requires each school district to post a list of each public school in the district that is over its intended capacity for enrollment.</p> <p>This bill expands the preferences for enrollment and allows a charter school to give a preference in enrollment for a child who, at the time of submission of his or her application is enrolled in a public school of a school district: (1) with an enrollment that is more than 25 percent over the school's intended capacity; or (2) that received an annual rating established as one of the two lowest ratings possible indicating underperformance, as determined by the Department of Education pursuant to the statewide system of accountability for public schools in the preceding school year.</p> <p>This bill provides that if a charter school gives preference to pupils who are enrolled in such public schools, the charter school must enroll such pupils who reside within 2 miles of the charter school before enrolling other such pupils. This bill also provides that each school district is required to maintain and post a list of each public school of the school district that is over its intended capacity for enrollment, if any, and indicate on the list by what percentage each school is over capacity.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Harris, Hammond, Farley, Lipparelli, and Kieckhefer NRS 386</p>
<p>SB460</p>	<p>This act provides for an alternative performance framework to evaluate certain schools which serve certain populations; providing the manner in which a school may apply to be rated using the alternative performance framework; requiring the statewide system of accountability to include a method to provide grants and other financial support to certain public schools; revising provisions relating to the revocation or termination of written charters or charter contracts; authorizing the restart of certain charter schools under a new charter contract in certain circumstances; prohibiting the Department of Education from considering a school's annual rating pursuant to the statewide system of accountability based upon the performance of a school for the 2014-2015 school year when imposing consequences on public schools; and providing other matters properly relating thereto. Section 4 of this bill instead requires the sponsor of a charter school to revoke the written charter or terminate the charter contract of a charter school or restart the charter school under a new charter contract if the charter school receives an annual rating established as the lowest possible rating indicating underperformance for any 3 out of 5 years. Section 4 requires the Department to adopt regulations governing procedures for the restart of a charter school under a new charter contract.</p>	<p>Section 3 of the bill requires that a public school or a charter school that wishes to be rated using the alternative performance framework must request the board of trustees or the sponsor of the charter school to apply on behalf of the school for approval to be rated using the alternative performance framework.</p> <p>Section 3 also specifies that a school is eligible to apply for using the alternative performance framework if its mission is to serve students who have been expelled or suspended, are academically disadvantaged, have been adjudicated delinquent, have an IEP, and if at least 75% if the pupils at the school fall within one or more of these categories.</p> <p>School boards that sponsor charter schools may need to develop new policy/regulation to</p>	<p>Senate Committee on Education NRS 385</p>

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		address the provisions of Section 4.	
		This act becomes effective on July 1, 2015.	
SB491	This act provides for the award of a grant of money for use in Fiscal Year 2015-2016 and Fiscal Year 2016-2017 to a nonprofit organization to aid the establishment and operation of high quality charter schools to serve pupils who live in poverty. A nonprofit organization that receives such a grant is required to use the money to: (1) recruit, encourage and develop natural persons to assume leadership roles in the formation and operation of high quality charter schools for pupils who live in households that have household incomes that are less than the federally designated level signifying poverty; and (2) recruit charter management organizations to operate such charter schools. The nonprofit organization is also required to match the grant with its own money. This bill also requires the nonprofit organization that receives the grant to prepare an annual report concerning the use of the money awarded and submit the report to the Budget Division of the Department of Administration and the Interim Finance Committee.	This is the so-called " HARBOR MASTER " legislation designed to extend the establishment of high quality charter schools serving children living in poverty. A review process is included to evaluate responses to the request for proposals. The non-profit organization to which an award is made must match that amount. This act becomes effective on July 1, 2015, and expires by limitation on June 30, 2017.	Senate Committee on Finance
SB509	This bill revises provisions relating to the employees and duties of the State Public Charter School Authority; authorizing and requiring certain sponsors of charter schools to make certain agreements with the Authority and other sponsors of charter schools; revising provisions governing applications to form a charter school; authorizing a charter management organization to apply for a waiver of requirements concerning the composition of the governing body of a charter school; revising provisions governing amendments to a written charter or charter contract; authorizing the consolidation of the operations of multiple charter schools under certain circumstances; revising the circumstances under which the sponsor of a charter school is authorized or required to revoke a written charter or terminate a charter contract; authorizing a sponsor to reconstitute the governing body of a charter school in certain circumstances; authorizing the sponsor of a charter school whose written charter has been revoked or whose charter contract has been terminated to take certain measures to attempt to replace the charter school; exempting certain high performing charter schools from the requirement that certain teachers be licensed; establishing alternative qualifications for such teachers; revising certain other provisions governing the operation of a charter school; authorizing a charter school to receive certain money; revising provisions governing the continuation of certain achievement charter schools; and providing other matters properly relating thereto.	One important new provision is this portion of Section 20: Before the State Public Charter School Authority or a board of trustees of a school district or a college or university within the Nevada System of Higher Education that is approved to sponsor charter schools begins soliciting applications to form a charter school, the State Public Charter School Authority, board of trustees or college or university, as applicable, shall prepare, in collaboration with the Department and, to the extent practicable, the school district in which the proposed charter school will be located and any other sponsor of a charter school located in that school district, an evaluation of the academic needs of pupils in geographic areas served by the sponsor. Also in Section 19, new language is included about the reconstitution of a governing body of a charter school. Sections 1 to 15, inclusive, 17, 18, 19, 21, 22, 23, 25 to 28, inclusive, 30, 32, 34, 35, 36, 38, 39, 40, 42 to 51, inclusive, and 52 and 57 of this act become effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and on January 1, 2016, for all other purposes.	Senate Committee on Education NRS 386

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COLLECTIVE BARGAINING, PERS, and PEBP

<p>SB92</p> 	<p>Section 4.2 of this bill provides that if the Department of Education designates a public school as a TURNAROUND SCHOOL, the board of trustees of the school district in which the school is located may review the performance of the principal of the school and decide whether to retain or replace the principal. Section 4.2 requires the State Board of Education to adopt regulations to establish the criteria for designating an underperforming school as a turnaround school. The principal of a school so designated is authorized by section 4.2 to review the performance of the employees of the school and decide whether to retain or replace each employee. If a principal or employee of such a school is not retained, the board of trustees is required to reassign the principal or employee to another school within the school district. Section 29.7 of this bill excludes certain actions concerning the reassignment of employees who are not retained at such a school from the scope of collective bargaining. Section 4.2 requires the board of trustees of a school district to ensure that a teacher who is reassigned to another school receives assistance to help the teacher to meet the standards for effective teaching. Section 4.2 also requires the board of trustees of a school district to create financial and other incentives to motivate teachers, administrators and paraprofessionals to accept positions at a public school that the Department designates as a turnaround school. Sections 24 and 25 of this bill provide that for the first and second years after a school has been designated as a turnaround school an evaluation of pupil performance will not be included in the evaluation of a teacher or administrator of the school. Existing law provides that when a reduction in the workforce is necessary, the board of trustees of a school district must not lay off a teacher or an administrator based solely on seniority. (NRS 288.151) Section 30 of this bill requires the board of trustees of a school district to base the decision to lay off a teacher or administrator on the overall performance of the teacher or administrator and lay off the least effective teachers and administrators first. Section 30 also provides that, if a further reduction in workforce is necessary, the board of trustees must lay off teachers who have a criminal record which has resulted in a suspension or who have had disciplinary action taken that results in suspension and is final. If a further reduction in workforce is necessary after considering criminal records and disciplinary action, section 30 requires the board of trustees to consider: (1) whether the teacher or administrator is employed in a position which is hard to fill; and (2) certain certifications and degrees. If, after considering all of the above factors, two or more employees are similarly situated after the application of those factors, the decision by the board of trustees to lay off one or more of the employees may be based on seniority. Finally, section 30 does not require the board of trustees of a school district to consider the above factors with respect to a teacher who teaches in a subject area for which there is a shortage of teachers.</p>	<p>After the Department of Education designates turnaround schools, a series of actions are open to the board of trustees. Policy and/or regulation will be needed to ensure that the specifics of SB92 are appropriately implemented. It may be possible that these requirements can be handled through existing policy, although that is unlikely. At the least, a thorough consideration of existing policy is required.</p> <p>SB92 grants the board broad latitude with regard to replacing principals at turnaround schools. If a principal is replaced, he/she must be re-assigned elsewhere. In turn, the existing/new principal may review the performance of employees at the school and make decisions about whether to retain or replace those employees. In the same way, any employees who are displaced must be placed elsewhere. If these employees are teachers, the board must ensure that the teacher receives appropriate assistance to improve his/her classroom instruction.</p> <p>Section 5 of the bill gives to the principal of any school the right to refuse to have a minimally effective or ineffective teacher assigned to the school as a result of decreased enrollment, reduction in force, etc. If the consent of the principal to which the teacher is proposed to be transferred is not obtained, the superintendent may place the educator elsewhere or override the objection of the principal. The board is required to create financial or other incentives to motivate teachers, administrators, and paraprofessionals to accept positions at turnaround schools. In school districts having turnaround schools, new policy may be needed to develop and implement such programs.</p> <p>The evaluations of new administrative or teaching staff at turnaround schools must not include student achievement data for the first and second years after the school has been designated as turnaround.</p> <p>For many sessions, NASB has worked to place greater emphasis in statute on effective educator performance as a key factor in reduction in force decisions. Section 30 of SB92 provides the board of trustees with a pathway for reducing ineffective staff before having to</p>	<p>Senate Committee on Education NRS 288, 385, and 391</p>
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		reduce highly effective staff. This new latitude may also need to be reflected in existing board policy and/or regulation. New policy may be needed.	
		This act becomes effective on July 1, 2015.	
SB101	Existing law requires the board of trustees of each school district to notify, on or before May 1 of each year, the postprobationary and probationary employees who are employed by the board of trustees of the reemployment status of those employees for the next school year. Existing law also requires those employees to notify the board of trustees, on or before May 10, of their acceptance of such reemployment. (NRS 391.31216, 391.3196, 391.3197) This bill authorizes the board of trustees to extend those deadlines in odd-numbered years to May 15 and May 25, respectively.	For many sessions, NASB has lobbied to provide a greater opportunity for boards to consider budgetary implications during odd-numbered years when the Legislature meets prior to making decisions about staff needed for the next school year. Rather than addressing this through a temporary measure each Session as has been done in the past, NRS has now been changed to give the board more latitude regarding notices of reemployment during odd-numbered years.	Senate Committee on Education NRS 391
		This act becomes effective upon passage.	
	<p>Guidance Memo re School Turnaround from Dale Erquiaga, State Superintendent of Public Instruction [July 9, 2015]: <i>The national literature on school turnaround makes clear that the two most important factors in immediate and sustained improvement of student and school performance are teachers and the school leader. The intent of Section 4.2 is to remove barriers that would otherwise delay the installation of an appropriate school leader in a turnaround school and empower that school leader with the necessary authority to build a team to carry out the work. Section 4.2 of the bill centers on the critical task of selecting the right leader for a particular school designated as turnaround.</i></p> <p><i>The legislation is clear that the board of trustees of a school district may review the performance of the principal at the designated turnaround school in order to determine to replace or retain the principal. The legislation does not provide explicit guidelines or criteria for a district to use in the evaluation of a principal's performance in order to arrive at a decision to retain or replace the principal. The law does provide for the Department to approve the selection of a new principal if the board of trustees decides to replace the principal. The Department will adopt regulations identifying the criteria used to approve the selection of a principal at a designated turnaround school. The regulations will likely center on the knowledge and dispositions necessary to turn around underperforming schools in addition to the results of formal evaluation(s). The Department anticipates holding a workshop to address the proposed regulations on August 27th. Should you have any suggestions, please feel free to write to this office or provide testimony.</i></p> <p><i>Section 4.2 conveys significant authority and autonomy to the principal of a turnaround school. Just as the criteria used when reviewing performance of a principal is left to the board of trustees to carefully describe, the district/board of trustees is provided discretion in determining the criteria a principal will use when evaluating staff in order to make retention decisions. However, the law specifically mentions two general categories that must be addressed: performance and the needs of the school.</i></p> <p><i>Senate Bill 92 provides for boards of trustees to offer incentives in order to motivate teachers, administrators, and paraprofessionals who work in classrooms or provide tutoring to pupils to apply for positions and continue employment at designated turnaround schools. The specific question asked in your letter (i.e., whether or not turnaround funds could pay for continuing education) is best addressed in the application to the Department for turnaround funding and subsequent funding determination by the Department. Such documents will come into play should the Department designate a school as a turnaround school.</i></p> <p><i>A district may consider the program of performance pay and enhanced compensation (NRS 391.168) to be separate and distinct from Senate Bill 92. A district may decide to adopt a performance pay and enhanced compensation program that is applicable to all personnel, thereby assigning the 10% cap across the district. A district adopting such a policy would aggregate incentive(s)/enhanced compensation from all applicable sources (e.g., Victory,</i></p>		

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	<p>Zoom, Turnaround, Pay for Performance) to ensure it does not exceed the 10% cap. Alternatively, a district may determine the 10% cap applies only to personnel receiving an increase by way of the Pay for Performance program required by NRS 391.168. A district adopting such a policy would ensure that only those funds paid under that district's program plan does not exceed the 10% cap. These options are yours to choose. (For your reference, Guidance Memorandum #15-08 further addressed AB 483 and SB 511.)</p> <p>Your questions related to Senate Bill 92, Section 20 are more properly addressed by local legal counsel because the State does not approve the plans developed by the superintendent of schools of a local school district (Section 20.6). Additionally, many provisions within Section 20 implicate sections of law within NRS 288, where the Department and State Board of Education do not have direct expressed authority. Please consult your legal counsel.</p>		
<p>SB158</p> 	<p>If a local government employer is a party to a collective bargaining agreement or similar agreement, existing law requires that the agreement be approved at a public hearing by the governing body of the local government employer. (NRS 288.153) Section 1 of this bill requires that a copy of the proposed agreement and certain supporting material relating to the agreement be made available to the public not less than 3 business days before the hearing, either by posting the documents on the Internet website of the local government or, if the local government does not have such a website, by depositing the documents with the clerk of the governing body. Any document so deposited is a public record and must be open for public inspection. Existing law provides for the public dissemination of any supporting material provided to a public body in connection with a meeting of the body, and establishes the time within which such material must be made available to the public. (NRS 241.020) Section 2 of this bill revises those provisions to conform with the requirements of section 1.</p>	<p>The new notice requirement included in SB158 will necessitate additional publication of proposed collective bargaining agreements before they are adopted by the board. This notice requirement may impact existing board policy and/or regulation.</p> <p>The proposed agreement must be made available to the public not less than 3 business days before the hearing where it will be considered. Any supporting materials must also be provided.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Senate Committee on Government Affairs NRS 288 and 241</p>
SB168	<p>Section 1 of this bill authorizes a local government to reopen a collective bargaining agreement during a fiscal emergency and sets forth the circumstances under which such an emergency shall be deemed to exist. The procedural requirements relating to the reopening of the agreement remain a mandatory subject of bargaining.</p>	<p>The provisions of SB168 may provide relief for school boards during times of economic downturn, recession, or operational budget decreases. As a local government, under certain circumstances specified in the act, school boards are now authorized to reopen a collective bargaining agreement during a fiscal emergency as defined in this bill for purposes of additional, further, new, or supplementary negotiations.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Settelmeyer, Goecoechea, Gustafson, Lipparelli, Kirner, O'Neill, Trowbridge, and Wheeler NRS 288</p>
<p>SB241</p> 	<p>Section 1.3 of this bill is directed to "evergreen" language in a collective bargaining agreement, pursuant to which the agreement remains in effect beyond the end of its stated term until a successor agreement becomes effective. Notwithstanding any such provision, section 1.3 provides that upon the end of the term stated in a collective bargaining agreement, and until a successor agreement becomes effective, a local government employer shall not, with limited exceptions, increase any compensation or monetary benefits paid to or on behalf of employees in the affected bargaining unit. Existing law generally requires a local government employer to engage in collective bargaining with the recognized employee organization, if any, for each bargaining unit among its employees. (NRS 288.150) Existing law also requires employees in certain supervisory and administrative positions, including certain school administrators, to be members of a different</p>	<p>Several important changes in statute are included in SB241. Any one of these may require the school board to consider policy and/or regulation revisions.</p> <p>(1) When a complaint arising out of the interpretation of or performance under collective bargaining is filed with the Local Government Employee-Management Relations Board, a hearing must be conducted within 45 days rather than 180 in existing statute, unless the parties agree to waive this requirement.</p> <p>(2) A collective bargaining agreement expires at the end of the term stated in the agreement. If the</p>	<p>Senator Roberson NRS 288</p>

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	<p>bargaining unit from the employees they supervise and entirely excludes certain other employees from membership in a bargaining unit. (NRS 288.140, 288.170) Section 1.4 of this bill excludes school administrators whose annual salary, adjusted for inflation, is greater than \$120,000 from membership in a bargaining unit, with the result that such administrators may not engage in collective bargaining with their employer. Sections 2, 3 and 4 of this bill make conforming changes. Existing law requires an employee organization that desires to negotiate to give written notice of that desire to the local government employer. If the subject of negotiation requires the budgeting of money by the local government employer, the notice must be given by the employee organization on or before February 1. (NRS 288.180) Section 1.5 of this bill provides that if an employee organization represents teachers or educational support personnel and desires to negotiate, it must give written notice on or before January 1. Section 1.9 of this bill provides that during the first 3 years of employment by a school district, a principal is employed at-will. Section 1.9 also provides that if a principal completes the 3-year probationary period, the principal again becomes an at-will employee if, in 2 consecutive school years: (1) the rating of the school to which the principal is assigned pursuant to the statewide system of accountability for public schools is reduced by one or more levels; and (2) fifty percent or more of the teachers assigned to the school request a transfer to another school. Section 1.9 further provides that such a principal is subject to immediate dismissal by the board of trustees of the school district on recommendation of the superintendent of the school district. Section 1.95 of this bill provides that a postprobationary administrator, other than an administrator who is excluded from a bargaining unit or a principal, must apply to the superintendent of the school district for reappointment to his or her administrative position every 5 years.</p>	<p>agreement expires and no successive agreement is effective and until there is a successive agreement, a local government employer shall not pay to or on behalf of any employee in the affected bargaining unit any compensation or monetary benefit greater than the amount in effect at the end of the collective bargaining agreement. Two exceptions are specified. (3) A school administrator whose annual salary adjusted for inflation is greater than \$120,000 must be excluded from a bargaining unit. (4) If an employee organization representing teachers or educational support personnel desires to negotiate concerning any matter which is subject to negotiation pursuant to NRS288, notice is required on or before January 1. (5) The timeline for arbitration is changed in Section 1.6. (6) During the first three years of his/her employment by a school district in the position of principal, a principal is employed at-will in that position. If the principal is reassigned, he/she is entitled to a written statement of the reason for the reassignment. (7) A principal who completes the probationary period is again employed at-will if his/her rating is reduced by one or more levels. Other stipulations are included. (8) Each postprobationary administrator employed by a school district, except an administrator excluded from a bargaining unit, must apply to the superintendent for appointment to his/her administrative position every 5 years.</p> <p>This act becomes effective upon passage and approval.</p>	
<p>SB406</p>	<p>Sections 2, 17 and 26 of this bill provide that if a person becomes a member of the Public Employees' Retirement System, Judicial Retirement Plan or Legislators' Retirement System, respectively, on or after July 1, 2015, and that member is convicted of or pleads guilty or nolo contendere to certain felonies, the member forfeits, with limited exceptions, all rights and benefits under the relevant retirement system. Sections 4, 16 and 27 of this bill provide an additional benefit option for the spouse of a member who is killed in the line of duty, the course of employment, the course of judicial service or the course of legislative service, as applicable, on or after July 1, 2013. This additional option authorizes the surviving spouse to receive a benefit that is equivalent to the greater of: (1) fifty percent of the salary of the member on the date of the member's death; or (2) one hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any</p>	<p>This bill includes new provisions for PERS about which board members will wish to be informed.</p> <p>Sections 4, 4.5, 16, 16.5, 27 and 27.5 of this act become effective upon passage and approval for purposes of adopting regulations and performing any other preparatory administrative tasks; and on July 1, 2015, for all other purposes. Sections 1, 2, 3, 5 to 15, inclusive, 17 to 26, inclusive, 28, 29 and 29.3 of this act become effective on July 1, 2015.</p>	<p>Roberson NRS 386</p>

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	reduction for age for the deceased member. Sections 4.5, 16.5 and 27.5 of this bill provide that this additional benefit option is available to a survivor beneficiary if the deceased member is unmarried on the date of the member's death. Section 29.7 of this bill provides a method for the spouse or survivor beneficiary of a member who was killed in the line of duty, the course of employment, the course of judicial service or the course of legislative service during the period beginning on July 1, 2013, and ending on June 30, 2015, to select the additional benefit option set forth in section 4, 4.5, 16, 16.5, 27 or 27.5 , as applicable.		
SB472	This bill is related to public employees; revising provisions governing the eligibility of newly hired public officers and employees for participation in the Public Employees' Benefits Program; and providing other matters properly relating thereto.	This bill includes new provisions for PEBP about which board members may wish to be informed. This act becomes effective on July 1, 2015.	Senate Committee on Finance NRS 287
EDUCATIONAL STAFF			
AB152	This bill makes certain provisions concerning providers of health care applicable to audiologists and speech-language pathologists; establishing the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board by expanding the existing Board of Examiners for Audiology and Speech Pathology and abolishing the existing Board of Hearing Aid Specialists; prescribing the requirements for the licensure of audiologists, speech language pathologists and hearing aid specialists; prescribing the requirements to engage in telepractice by an audiologist or a speech-language pathologist; prescribing the requirements for the licensure and practice of an apprentice hearing aid specialist; prescribing the requirements for the practice of a hearing aid specialist; making certain provisions applicable to hearing aid specialists; imposing certain fees; providing that certain acts are grounds for disciplinary action by the Board; providing a penalty; and providing other matters properly relating thereto.	Each board may wish to review its human resources policies, regulations/procedures, hiring practices, and bargaining agreements, as appropriate, in recognition of these new provisions. The board may wish to inform district employees in these categories about these provisions. This act becomes effective on July 1, 2015.	Benitez-Thompson, Bustamante Adams, Spearman, and Parks NRS 629
AB447 	This bill authorizes the State Board of Education to provide for evaluations of certain licensed educational personnel and determine the manner in which to measure the performance of such personnel; revising provisions relating to pupil achievement data used as a part of the statewide performance evaluation system; revising the evaluation of teachers and administrators under the statewide performance evaluation system; requiring the State Board to designate assessments that may be used to determine pupil achievement and prescribe the evaluation system and tools to be used by a school district for measuring of an employee's performance; authorizing a school district to apply to the State Board to use an evaluation system and tools and assessments that are different from those prescribed by the State Board; and providing other matters properly relating thereto.	This bill contains a number of new provisions related to observation and evaluation of educational staff. Each board will want to ensure that the new requirements established by AB447 are incorporated in its human resources policies, regulations/procedures and bargaining agreements, as appropriate. This act becomes effective on July 1, 2015.	Assembly Committee on Education NRS 391
	Guidance Memo re Educator Evaluations from Dale Erquiaga, State Superintendent of Public Instruction [July24, 2015]: <i>Since 2011, the Nevada Department of Education and local school districts have worked to design a statewide performance evaluation system; recent legislation and action by the State Board necessitate some explanation. This guidance memorandum is issued pursuant to the authority provided in NRS 385.175(5), directing the Superintendent of Public Instruction to enforce the observance of Title 34 of Nevada's statutes and all other statutes and regulations governing public education.</i> <i>Assembly Bill 447 of the 78th Regular Legislative Session modified existing law and established new parameters for the evaluation system</i>		

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known as the Nevada Educator Performance Framework (NEPF). A fact sheet concerning the bill is attached and incorporated by reference. Key elements for districts to understand for the upcoming school year:

1. Beginning with the 2015-2016 school year, all districts will use the NEPF to evaluate all classroom teachers and building-level administrators. Evaluations will be based solely on the Educational Practice Standards & Indicators, consisting of Instructional Practice (teachers) or Instructional Leadership Practice (administrators) and Professional Responsibilities (both).

2. No student performance data will be used in school year 2015-2016.

3. This year, the State Board must begin planning for the inclusion of student performance data derived from local district sources/assessments. In the original NEPF model, only state-level summative assessments were contemplated, and the value was to be 50 percent of the overall score.

AB447 has amended the student data provisions to provide for local data in future years, as follows:

2015-2016: Includes no student achievement data (as noted above)

2016-2017: Includes 20% student achievement data

- 10% statewide assessment data
- 10% district determined data (TLC to recommend to SBE for regulation change)

2017-2018: Includes 40% student achievement data

- 20% statewide assessment data
- 20% district determined data

4. Librarians, counselors and other licensed personnel will continue to be evaluated under existing district-level evaluation systems during the 2015-2016 school year. The State Board of Education may provide for a new evaluation for these personnel in future years and may determine whether to use pupil achievement data as part of that evaluation. The Teachers and Leaders Council will make recommendations to the State Board.

5. During the upcoming year, the State Board will also establish an evaluation system for administrators at the district level who provide direct supervision of the principal of a school. The Teachers and Leaders Council will make recommendations to the State Board for this system as well.

6. For teachers and building-level administrators, beginning with the 2015-2016 school year, the bill changes the frequency of **observations** and the number of **evaluations** based on probationary status and prior effectiveness ratings. A chart is included in the attachment.

Districts are advised that they have a responsibility to their workforce to continue professional development on the NEPF, particularly the Educational Practice Standards and Indicators. The regional training programs or other providers may be of assistance; some funding is to be provided by the Department through the Great Teaching & Leading Fund for this purpose.

<p>AB483</p> 	<p>Existing law requires the board of trustees of each school district to establish a program of performance pay and enhanced compensation for the recruitment and retention of teachers and administrators employed by the school district, and to implement the program beginning with the 2015-2016 school year. Under existing law, the program must be negotiated by the board of trustees in accordance with the provisions governing collective bargaining. (NRS 391.168) For the purposes of that program, section 1 of this bill requires the board of trustees of each school district annually to reserve for each fiscal year a sum of money sufficient to pay an increase in base salaries, not to exceed 10 percent, for not less than 5 percent of the teachers and administrators employed by the school district. Section 3 of this bill requires that the initial reservation of money be made for Fiscal Year 2016-2017 and that the initial increase in salaries be effective for the 2016-2017 school year. Section 2 of this bill: (1) eliminates the requirement that the program of performance pay and enhanced compensation be the subject of collective bargaining; and (2) requires that consideration be given to implementation of the program in the lowest-rated schools rated as underperforming pursuant to the statewide system of accountability for public schools.</p>	<p>Each board must reserve for each fiscal year of the biennium a sum of money sufficient to pay an increase in base salaries, not to exceed 10 percent, for not less than 5 percent of the district’s teachers and administrators. It is likely that new board policy will be needed to implement this requirement.</p> <p>This program is intended to enhance compensation for personnel at schools that are considered at-risk or receiving the lowest rating possible indicating underperformance of a public school as established by the Nevada Department of Education</p> <p>The initial reservation of funds must be made for the 2016-17 school year. The initial increase in salaries must be effective for the 2016-17 school year.</p> <p>This act becomes effective on January 1, 2016.</p>	<p>Assembly Committee on Ways and Means NRS 391</p>
	<p>Guidance Memo re Pay for Performance from Dale Erquiaga, State Superintendent of Public Instruction [July 1, 2015]: <i>This legislation is not effective until January 1, 2016. For Fiscal Year 2015-2016, the districts are therefore not required to reserve any funds for the program required by NRS 391.168. In addition, that program must still be bargained for the current school year. However, the language requiring negotiation pursuant to chapter 288 of NRS is removed on January 1 and thus the program is not subject to collective bargaining for Fiscal Year 2016-2017. After January 1, districts may determine the date on which to calculate the number of teachers and administrators subject to the reserve requirement; no date is prescribed by law. Districts may also determine the business rules for setting the status of teachers and administrators to be counted for the reserve requirement (actual individuals hired versus number of positions). Since the funds are to be reserved prior to a budget year commencing, logic would indicate the use of the total allocation of positions projected for the upcoming fiscal year, but this matter is not addressed in the new law and is thus within the purview of local decision-making. The determination of the number of employees and the amount to be reserved is not subject to collective bargaining.</i></p>		
<p>SB133</p> 	<p>Section 3 of this bill creates the TEACHERS’ SCHOOL SUPPLIES REIMBURSEMENT ACCOUNT in the State General Fund, and section 4 of this bill requires the Department of Education to determine the amount of money available in the Account and apportion the money deposited in the Account among the school districts and charter schools annually based on the number of teachers employed by each school district or charter school, as applicable, up to \$250 per teacher. Section 4 also requires the board of trustees of each school district and the governing body of each charter school to establish a special revenue fund and deposit the money it receives from the Account in that fund. Section 4 further provides that money in the special revenue fund must be used only to reimburse teachers for out-of-pocket expenses incurred in connection with purchasing certain school supplies. Section 4 also requires the board of trustees of each school district or the governing body of a charter school, as applicable, to transfer any balance remaining in the special revenue fund that has not been committed for expenditure to the Account at the end of each fiscal year. Section 5 of this bill requires the board of trustees of each school district and the governing body of each charter school to determine the manner in which to distribute the money received to the teachers, including whether the teachers will be required to submit</p>	<p>The board of trustees of each school district must establish a special revenue fund and deposit the money it receives from the Teachers’ School Supplies Reimbursement Account into that account.</p> <p>This fund must only be used to reimburse teachers up to \$250 per teacher for out-of-pocket expense incurred in connection with purchasing certain school supplies as designated in the bill.</p> <p>Each board must also determine the manner by which the money will be distributed to teachers, including whether teachers will be required to submit a request for reimbursement. Teachers must submit receipts for purchases made with money from the special revenue fund to the principal of the school who must retain the</p>	<p>Roberson, Harris, Brower, Farley, Lipparelli, Denis, Hammond and Woodhouse NRS 387</p>

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	<p>a request for reimbursement. Section 5 also requires teachers to submit receipts for purchases made with money received from the special revenue fund to the principal of the school, who must retain the receipts until the end of the next fiscal year. Existing law requires the Administrator of Unclaimed Property in this State to take possession of property that is abandoned and unclaimed by its owner and to hold it in trust until the owner or the owner's legal heirs can be located. (NRS 120A.530, 120A.620) Existing law allows the original owner or his or her heirs to file a claim to recover property in the possession of the Administrator at any time. (NRS 120A.560, 120A.640) Section 6 of this bill authorizes a person whose claim to recover such property of less than \$500 and has been approved by the Administrator to donate the property or the net proceeds of a sale of the property to the Teachers' School Supplies Reimbursement Account. Section 7 of this bill appropriates \$2,500,000 for Fiscal Year 2015-2016 and \$2,500,000 for Fiscal Year 2016-2017 from the State General Fund to the Teachers' School Supplies Reimbursement Account.</p>	<p>receipts until the end of the next fiscal year.</p> <p>This act becomes effective on July 1, 2015.</p>	
	<p>Guidance Memo re Expense Reimbursements from, Dale Erquiaga, State Superintendent of Public Instruction [June 19, 2015]: <i>You are correct in stating that the bill's definition is very specific. There is no need for this office to add to that language or explicate its meaning beyond a plain reading of the law. If you are unclear about the meaning or your other questions, please consult your legal counsel. Pursuant to the provisions of the bill, the Department will be asking each school district and charter school to provide the number of teachers who meet the definition of the bill so that this office can establish the amount of each reimbursement and distribute a lump sum amount to each district and charter school, based on the available appropriation.</i></p>		
<p>SB192</p> 	<p>This bill provides that certain employees of or volunteers at a school who are convicted of engaging in sexual conduct with certain pupils are subject to various statutory provisions relating to sex offenders; providing that certain employees of a college or university who are convicted of engaging in sexual conduct with certain students are also subject to various statutory provisions relating to sex offenders; revising provisions relating to certain employees of or volunteers at a school who engage in sexual conduct with certain pupils; prohibiting certain employees of or volunteers at a school from engaging in sexual conduct with certain pupils; prohibiting certain employees of a college or university from engaging in sexual conduct with certain students; providing a penalty; and providing other matters properly relating thereto.</p>	<p>This bill adds to the list of sexual offenses that require a sentence of lifetime supervision and for which certain conditions of lifetime supervision apply to (1) an offense involving sexual conduct between certain employees of or volunteers at a school and (2) an offense involving sexual conduct between certain employees of a college or university and certain students. Other new requirements are established.</p> <p>Each board will want to ensure that the new provisions established by SB192 are incorporated in the district's human resources policies, regulations and/or procedures, and bargaining agreements, as appropriate and notify educational personnel accordingly.</p> <p>Sections 1 to 4, inclusive, 10 and 11 of this act apply to offenses committed on or after October 1, 2015. Sections 5 to 8, inclusive, 12 and 13 of this act apply to offenses committed before, on or after October 1, 2015.</p>	<p>Harris, Brower, Roberson, Farley; Denis, Goicoechea, Gustavson, Hammond, Hardy, etc. NRS 176</p>
<p>SB474</p> 	<p>This bill creates the GREAT TEACHING AND LEADING FUND; prescribing the administration and use of money in the Fund; authorizing certain entities to submit an application to the State Board of Education for a grant of money from the Fund; requiring the Superintendent of Public Instruction to post a list of each gift or grant received for deposit in the Fund on the Internet website maintained by</p>	<p>School boards and nonprofit educational organizations are among the entities eligible to submit an application to the State Board of Education for a grant of money from the Fund.</p>	<p>Senate Committee on Finance NRS 391</p>

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	<p>the Department of Education; requiring school districts and charter schools to ensure that certain professional development is available to teachers and administrators; revising provisions governing the provision of training by the regional training programs for the professional development of teachers and administrators; creating the Advisory Task Force on Educator Professional Development to study and report on matters relating to professional development of teachers, school administrators and other educational personnel; and providing other matters properly relating thereto.</p>	<p>An entity that receives a grant of money from the Fund is required to use the money in accordance with the priorities to provide:</p> <ol style="list-style-type: none"> (1) Professional development for teachers, administrators and other licensed educational personnel; (2) Programs of preparation for teachers, administrators and other licensed educational personnel; (3) Programs of peer assistance and review for teachers, administrators and other licensed educational personnel; (4) Programs for leadership training and development; and (5) Programs to recruit, select and retain effective teachers and principals. <p>Each program will be evaluated to the extent money is available for that purpose.</p> <p>Section 1.7 of this bill requires the board of trustees of each school district and the governing body of each charter school to ensure that teachers and administrators have access to high-quality, ongoing professional development training.</p> <p>The act becomes effective upon passage and approval.</p>	
	<p>Guidance Memo re Great Teaching and Leading Fund from Dale Erquiaga, State Superintendent of Public Instruction [June 19, 2015]: <i>A streamlined request for proposals and application guidelines will be made available by July 1; that document should answer many of your questions. How the Board subsequently allocates funding is not a matter for speculation by this office. The Board has not yet addressed its priorities for School Year 2016-2017, so I cannot speak to future funding decisions and again, I cannot speculate on any so-called “de-prioritization” based on other legislation. The word “pipeline” does not appear anywhere in this bill; however, typically the phrase refers to the preparation, recruitment, hiring, and retention of educators. Should you have suggestions for these grants, please feel free to write to the Department or attend an upcoming Board meeting.</i></p>		
<p>SB511</p> 	<p>This bill makes an appropriation to provide grants to universities, colleges and providers of ALTERNATIVE LICENSURE PROGRAMS in this State to award scholarships to students entering certain teaching programs and makes an appropriation to provide certain INCENTIVES FOR NEW TEACHERS who are employed to teach in certain schools; and providing other matters properly relating thereto.</p>	<p>Boards wanting to participate in this opportunity should already have moved forward with steps as described in the Superintendent of Public Instruction’s Guidance Memo.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Roberson, Kieckhefer, Harris, Ford, Paul Anderson, Kirkpatrick, and Hambrick NRS 391</p>
	<p>Guidance Memo re Teacher Incentives from Dale Erquiaga, State Superintendent of Public Instruction [June 15, 2015]: <i>Senate Bills 511 and 515 of the 78th Legislative Session, make available \$10 million for the boards of trustees of local school districts to provide financial incentives to newly hired teachers in certain schools during the next two school years. If you are interested in applying for some of these funds, please submit the following information to me through Audra Blackwell:</i></p>		

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	<p>1. A copy of your district's 2015-2016 program established adopted pursuant to NRS 391.168;</p> <p>2. A letter or memorandum including:</p> <ul style="list-style-type: none"> a. A clear description of the type of incentive(s) to be awarded as outlined in your program; e.g., signing bonus, adjustment to base salary, etc.; b. The dollar amount for the contemplated individual incentive(s), keeping in mind the statutory cap is \$5000 per individual per year; c. An identification of the number of teachers you plan to incentivize during 2015-16; d. A preliminary list of the schools at which these teachers would be employed, with an indication of the type of school (Title I, one-star, two-star); and e. A description of the required professional development to be provided. <p>The bill allows your district until August 31st to submit this information. However, in order for this Department to process funds in an expeditious manner, you are encouraged to submit no later than Monday, July 6, 2015. The State Board can then make allocations on July 23rd. If you are unable to meet this deadline, please notify me as soon as possible so we can discuss an alternative timeline and perhaps make an allocation at the September 3rd meeting of the State Board.</p>		
	<p>Guidance Memo re Teacher Incentives from Dale Erquiaga, State Superintendent of Public Instruction [July 1, 2015]:</p> <p>Section 11 of this measure provides \$5 million in each year of the current biennium for teacher incentives at Title I and certain underperforming schools. (NOTE: SB 515 provides an additional \$5 million each year; those funds are subject to the requirements of SB 511 and this guidance memorandum.) All funds must be used to pay for incentives established pursuant to the program of performance pay and enhanced compensation required for School Year 2015-2016 and thereafter (NRS 391.168). Many of your questions are more properly addressed by local legal counsel because the State does not approve these district programs; the Department's role in this legislation is to allocate available funds.</p> <p>The most salient points for this guidance memorandum are:</p> <ol style="list-style-type: none"> 1. This funding is focused on classroom teachers (also known as "teachers of record") rather than other licensed personnel. Librarians, counselors, and other licensed personnel are not subject to the new legislation or entitled to the incentives; nor are administrators (even though administrators are addressed by NRS 391.168). 2. For School Year 2015-2016, the funds for teacher incentives provided by the State are subject to collective bargaining, as they are provided to support the provisions of NRS 391.168 and that statute remains subject to negotiation for this year. 3. For School Year 2016-2017, these State funds are not subject to collective bargaining, as the program of performance pay and enhanced compensation will no longer be negotiated pursuant to AB 483 (see above). 4. The Department does not approve programs required by NRS 391.168; the State Board's role is to allocate available funds in proportion to the number of teachers throughout the state. Therefore, decisions as to salary-versus-stipend, incentive timing, amounts, averages, prioritization, PERS payments, subsequent hires, restriction or elimination of payments, and/or other programmatic specifics are left to the districts. Your questions should be addressed to district/local legal counsel. 5. Based on testimony during the hearings on this bill, this office believes the professional development requirement for those who receive these incentive funds should be "above and beyond" that provided for other teachers. 6. If insufficient funding is available for the total number of teachers submitted by all districts, the Department will recommend proration of applications to the State Board; the final decision rests with the Board. Districts may ultimately be unable to allocate the maximum amount to every new teacher in the targeted schools and should plan accordingly. 		
FINANCE and FUNDING			
AB165	<p>This act establishing a credit against the modified business tax for taxpayers who donate money to a scholarship organization; setting forth certain requirements for a scholarship organization and for schools that receive grants from a scholarship organization; requiring a scholarship organization to submit an annual report to the Department of Education; and providing other matters properly relating thereto.</p>	<p>This program further reduces taxes that would be paid into the General Fund and moved into the Distributive School Account.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Assembly Committee on Education NRS 363B and 385</p>

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	<p>Guidance Memo re Education Choice Scholarships from Dale Erquiaga, State Superintendent of Public Instruction [June 29, 2015]: <i>Assembly Bill 165 of the 78th Regular Session created the Nevada Educational Choice Scholarship Program, and the bill became effective upon passage and approval in April of this year. The Department has, as of June 25, 2015, adopted temporary regulations to implement the provisions of this legislation. However, temporary regulations are not effective until 35 days after adoption and filing with the Secretary of State. (During this period, legislators may ask that regulation be reviewed by the Legislative Commission if they object to its provisions.) However, this office is well aware that scholarship organizations and schools need to take preparatory steps toward full implementation in a timely manner – and that taxpayers are already eligible to seek this incentive from the Nevada Department of Taxation. In order to begin to implement the Scholarship Choice program, I am directing that the Department of Education will accept for filing the registrations of scholarship organizations and private schools wishing to participate in the program as of July 1, 2015. This will allow organizations and schools to begin their respective processes so that scholarships can be awarded to pupils in accordance with the existing law and with the regulations after their full effective date in August.</i></p>		
<p>AB278</p> 	<p>Existing law provides that the ratio of pupils per licensed teacher in certain grades in elementary school must not exceed specified ratios. Any school district with a school that exceeds this ratio must request a variance from the State Board of Education. (NRS 388.700) Each school district must develop a plan to reduce the district’s pupil-teacher ratio per class and submit quarterly reports with certain information related to the district’s pupil-teacher ratios to the Department of Education. (NRS 388.720, 388.725) Section 1 of this bill requires the Department to develop policies and procedures to: (1) monitor the plans developed by each school district; (2) monitor the quarterly reports submitted by each school district; (3) review any variance requested by a school district; and (4) distribute any money to school districts for the reduction of pupil-teacher ratios. Section 1 also requires the Department to develop guidance for school districts on: (1) developing a plan to reduce pupil-teacher ratios; (2) reporting information related to the reduction of pupil-teacher ratios; and (3) the data that must be monitored by each school district to measure the effectiveness of a plan to reduce pupil-teacher ratios. Section 1 further requires the Department to communicate with the school districts regarding the expectations of the Department for the use of any money distributed to reduce pupil-teacher ratios, including the minimum number of teachers each school district is expected to employ. Section 2 of this bill requires the Legislative Auditor to conduct an audit concerning the use by each school district of money appropriated for the class-size reduction program during the 2013-2015 biennium. The audit must include an examination and analysis of the “plus two” program that authorized school districts to elect to increase class size by two pupils.</p>	<p>Each local school board must develop a plan using criteria or guidelines developed by the Department of Education to reduce the district’s pupil-teacher ratio and submit quarterly reports as stipulated in AB278.</p> <p>The Department is also charged with monitoring quarterly reports concerning the average daily attendance of students and the pupil-teacher ratios in each school district as submitted by the board of trustees of that district.</p> <p>Furthermore, the Department will communicate with the board of trustees of each school district regarding expectations for use of any money distributed to reduce pupil-teacher ratios in the district, including the minimum number of teachers the school district is expected to employ.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Elliot Anderson, Kirkpatrick, Diaz, Benitez-Thompson, Carlton, Paul Anderson, Araujo, Bustamante Adams, Carrillo, Flores, Hambrick, Joiner, Munford, Neal, Ohrenschall, Oscarson, Spiegel, Sprinkle, Swank, and Thompson NRS 388</p>
<p>SB429</p>	<p>This act made a supplemental appropriation to the State Distributive School Account for a shortfall resulting from an unanticipated increase in K-12 enrollment for the 2013-2014 and 2014-2015 school years; and providing other matters properly relating thereto.</p>	<p>This act appropriated to the DSA the sum of \$62,026.74 for a shortfall resulting from an unanticipated increase in K-12 enrollment for the 2013-14 and 2014-15 school years.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Senate Committee on Finance</p>

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SB483	<p>This is the act adopted to create revenue in support of the General Fund budget; providing for the imposition, administration and payment of a commerce tax on the Nevada gross revenue of certain business entities engaged in business in this State; revising provisions governing the rate and calculation of the payroll tax imposed on certain businesses in this State; revising provisions governing the rate and distribution of the excise tax on cigarettes; revising provisions governing the state business license fee; revising provisions governing the fee imposed on certain business entities for filing an initial or annual list; extending the prospective expiration of certain requirements regarding the advance payment and computation of the tax on the net proceeds from certain mining operations conducted in this State; removing the prospective expiration of certain requirements regarding the imposition of the local school support tax; revising provisions relating to the allocation of a certain portion of the proceeds of the basic governmental services tax; temporarily extending the expiration of the fee for the provision of specialty court programs following a conviction for a misdemeanor offense of driving a vehicle under the influence; and providing other matters properly relating thereto.</p>	<p>Information only.</p>	<p>Senate Committee on Revenue and Economic Development NRS 32</p>
SB508 	<p>Existing law establishes the Nevada Plan and declares that “the proper objective of state financial aid to public education is to ensure each Nevada child a reasonably equal educational opportunity.” (NRS 387.121) To accomplish this objective, the Legislature establishes, during each legislative session and for each school year of the biennium, an estimated statewide average basic support guarantee per pupil for each school district and the basic support guarantee for each special education program unit. (NRS 387.122, 387.1221) The basic support guarantee for each school district is computed by multiplying the basic support guarantee per pupil that is established by law for the school district for each school year by pupil enrollment and adding funding for special education program units. (NRS 387.1221-387.1233; <i>see, e.g.</i>, chapter 382, Statutes of Nevada 2013, p. 2053) The calculation of basic support is based upon the count of pupils enrolled in public schools of the school district on the last day of the first school month of the school district, commonly referred to as “the count day.” Under existing law, pupils enrolled in kindergarten are counted as six-tenths the count of pupils who are enrolled in grades 1 to 12, inclusive. (NRS 387.1233)</p> <p>This act revises provisions governing the NEVADA PLAN; removing the provisions requiring a single annual count of pupils enrolled in public schools and requiring school districts to make quarterly reports of average daily enrollment; prospectively removing the provision of funding through the use of special education program units and including a multiplier to the basic support guarantee for pupils with disabilities; revising provisions governing the inclusion of pupils enrolled in kindergarten; revising provisions governing the hold harmless provisions for school districts and charter schools; creating the Contingency Account for Special Education; revising provisions governing certain persons with disabilities; requiring the Department of Education to develop a plan for implementing a multiplier to the basic support guarantee for certain categories of pupils; and providing other matters properly relating thereto.</p>	<p>Section 4 of this bill expresses the intent of the Legislature, commencing with Fiscal Year 2016-2017, to provide additional resources to the Nevada Plan expressed as a multiplier of the basic support guarantee to meet the unique needs of certain categories of pupils, including, without limitation, pupils with disabilities, pupils who are limited English proficient, pupils who are at risk and gifted and talented pupils. (NRS 387.121)</p> <p>Section 9 of this bill removes “the count day” and instead requires the school districts to report to the Department of Education “average daily enrollment,” which is defined in section 5 of this bill, on a quarterly basis. (NRS 387.1211)</p> <p>Moving from count day enrollment to average daily enrollment may require changes in procedures and/or regulations for student enrollment and attendance.</p> <p>Section 9 also requires the Department to prescribe a process to reconcile the quarterly reports of average daily enrollment to account for pupils who leave the school district or a public school during the school year.</p> <p>Section 11 of this bill removes, effective July 1, 2017, the requirement that pupils enrolled in kindergarten be counted as six-tenths and instead includes those pupils in the regular reporting of</p>	<p>Senate Committee on Finance NRS 387</p>

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		<p>average daily enrollment with the pupils enrolled in grades 1 to 12, inclusive.</p> <p>Section 30 of this bill repeals, effective July 1, 2016, the provision of funding for special education through special education program units and instead section 7 of this bill requires that the basic support guarantee per pupil for each school district include a multiplier for pupils with disabilities. (NRS 387.1221, 387.122)</p> <p>Section 24 of this bill creates the Contingency Account for Special Education Services and requires the State Board of Education to adopt regulations for the application, approval and disbursement of money to reimburse the school districts and charter schools for extraordinary program expenses and related services for pupils with significant disabilities.</p> <p>Section 28 of this bill requires the Department of Education to develop a plan as soon as practicable to provide additional resources to the Nevada Plan expressed as a multiplier of the basic support guarantee to meet the unique needs of pupils with disabilities, pupils who are limited English proficient, pupils who are at risk and gifted and talented pupils. The plan must include: (1) the amount of the multiplier for each such category of pupils; and (2) the date by which the plan should be implemented or phased in, with full implementation occurring not later than Fiscal Year 2021-2022.</p> <p>Section 28 also requires the Superintendent of Public Instruction to submit a report on or before October 1, 2016, to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature that includes: (1) the per pupil expenditures associated with legislative appropriations for pupils with disabilities, pupils who are limited English proficient, pupils who are at risk and gifted and talented pupils; and (2) any recommendations for legislation to address the unique needs of those pupils.</p> <p>Section 29 of this bill provides for the allocation of funding for pupils with disabilities for Fiscal Year 2016-2017.</p>	
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		<p>Each local board will want to have extensive discussions about the impact of each of these provisions on the district's financial situation.</p>	
	<p>Guidance Memo re Average Daily Enrolment Counts from Dale Erquiaga, State Superintendent of Public Instruction [June 23, 2015]: Section 9 of this bill changed the manner in which student enrollment is reported to the State for purposes of allocating funding from the Distributive School Account (DSA). Average daily enrollment is to be collected on a quarterly basis. These new provisions were approved upon passage and approval; the bill was signed by Governor Sandoval on June 11, 2015. Because time is of the essence, this office is establishing the following procedures to be implemented immediately:</p> <ul style="list-style-type: none"> • Districts shall report average daily enrollment for the period April-June 2015 on July 1st. This year's reports will be accepted up to 14 days late because of this timing of the legislative session. In addition, the Department will accept any reporting form deemed suitable by the districts. • Payment for the first quarter DSA allocations is due from this office on August 1st. That payment will be based on the prior quarter's average daily enrollment as reported pursuant to the information above plus the budgeted projection for enrollment growth in the upcoming year (1.44 percent). <p>Subsection 5 of Section 9 of the bill provides that the Department will prescribe a process for reconciling these new quarterly reports. To begin this process, a meeting will be held on July 30, 2015, beginning at 900am at the Department offices in Carson City and Las Vegas (via videoconference). Fiscal staff and district superintendents are invited to attend.</p> <p>We anticipate the reconciliation process, prescribed forms, and other changes will be announced/issued after the July meeting and well in advance of the next quarterly reporting deadline on October 1, 2015.</p> <p>To clarify, SB508 continues a single annual audit but bases that audit on quarterly reports. There will not be four audits. The Department will issue revised audit guidance at a later date; no action is required at this time.</p>		
<p>SB515</p> 	<p>This act is intended to ensure sufficient funding for K-12 public education for the 2015-2017 biennium; apportioning the State Distributive School Account in the State General Fund for the 2015-2017 biennium; authorizing certain expenditures; making appropriations for purposes relating to basic support, class-size reduction and other educational purposes; making contingent appropriations for certain educational programs and services; temporarily diverting the money from the State Supplemental School Support Account to the State Distributive School Account for use in funding operating costs and other expenditures of school districts; and providing other matters properly relating thereto.</p> <p>Selected highlights of SB515: Section 1 establishes the estimated weighted statewide average of \$5,710 per pupil for fiscal year 2015-16. Section 2 establishes the basic support guarantee for fiscal year 2016-17 at the statewide average of \$5,774 per pupil. Sections 3, 4, and 5 establish the number of units and amount of basic support for special education program units. The basic support guarantee for each special education unit is \$45,455 in 2015-16 and \$55,141 in 2016-17. Section 11 sets aside the sum of \$128,541 in each year of the biennium for special transportation costs to school districts. Section 12 sets aside the sum of \$588,732 in each year of the biennium for the state match for the National School Lunch Program. Section 14 establishes pupil-teacher ratios for class size reduction programs. Section 15 transfers the amount of \$151,055,029 for distribution to school districts for class size reduction in grades 1, 2, and 3 in fiscal year 2015-16. The</p>	<p>As a reminder, the statewide average per pupil support for the current year is \$5,676. For the prior year, \$5,590. In SB15, the weighted average for 2015-2016 is \$5,710 per pupil with individual school district support ranging from \$5,512 to \$24,331. For 2016-2017, the average statewide per pupil support is estimated at \$5,774.</p> <p>Also included is funding for special education units, full-day kindergarten, class size reduction, early childhood education, school library media specialists, National Board Certification for teachers and counselors, library books, educational technology, and career and technical education.</p> <p>Of special importance are Sections 9 and 10 (page 8): Sec. 9. During each fiscal year of the 2015-2017 biennium, whenever the State Controller finds that current claims against the State Distributive School Account exceed the amount available in the Account to pay those claims, the State Controller may advance temporarily from the State General Fund to the State Distributive School Account the amount required to pay the claims, but not more than the amount</p>	<p>Senate Committee on Finance</p>

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<p>amount for fiscal year 2016-17 is \$155,210,241.</p> <p>Section 19 sets aside a total of \$49,285 for both years of the biennium for successful completion of the National Board Teacher Certification Program; a total of \$6888,741 in both years for Counselor National Board Certification; a total of \$449,142 for LEA library books; a total of \$10,000,00 to be distributed by the Commission on Education Technology and \$1,000,000 to establish an incentive program to be awarded by the Commission to assist schools with broadband and WAN access and improvements; a total of \$10,443,822 in Fiscal year 2015-16 and \$12,543,822 in fiscal year 2016-17 for the award of grants for career and technical education. Other funds awarded in Section 19 include a total of \$2,500,000 in fiscal year 2015-16 and \$3,586,645 in fiscal year 2015-16 for the Jobs for America's Graduates Program.</p> <p>Section 20 sets aside the sum of \$5,174,243 in each year of the biennium for pupils enrolled in school districts and charter schools who qualify for gifted and talented programs.</p> <p>Section 21 sets aside \$3,338,875 in each year of the biennium for competitive state grants to school districts and community based organizations for early childhood education programs.</p> <p>Section 22 set aside \$3,000,000 in the first year of the biennium and \$5,000,000 in the second year for competitive grants to support dual enrolment for pupils enrolled in high schools or to create a competitive science, technology, engineering, and mathematics grant program for pupils enrolled in middle schools and high schools to assist those pupils in becoming college and career ready.</p> <p>Section 23 sets aside \$5,594,400 for fiscal year 2015-16 for a block grant program for school districts and charter schools to provide for contract social workers or other licensed mental health workers in schools with identified needs. The sum of \$11,188,800 is designated for fiscal year 2016-17.</p> <p>Section 24 designates \$2,500,000 in each year of the biennium to provide grants and other financial support to public schools receiving the lowest two ratings based on the statewide system of accountability.</p> <p>Section 25 designates \$5,000,000 in each year of the biennium to carry out the provisions of SB491 [Harbor Master].</p> <p>Section 26 designates \$4,879,489 and \$22,250, 574 in the first and second years of the biennium to carry out the provisions of Senate Bill 391 [Read by Three].</p> <p>Section 27 designates \$49,950,000 in each year of the biennium to carry out the provisions of Senate Bill 405 [ZOOM Schools].</p> <p>Section 28 designates \$24,850,000 and \$25,000,000 for the first and second years of the biennium to carry out the provisions of Senate Bill 432 [Victory schools].</p> <p>Section 30 designates \$75,073,244 and \$96,381,674 in the first and second years of the biennium for school districts and charter schools for full-day kindergarten.</p> <p>Section 33 appropriates \$5,000,000 in each year of the biennium for grants to provide financial incentives to newly hired teachers.</p> <p>Section 35 designates \$7,460,948 in each year of the biennium for professional development of teachers and administrators.</p> <p>Section 36 appropriates \$100,000 in each year of the biennium for additional training opportunities for educational administrators.</p> <p>Section 37 appropriates \$4,886,433 and \$4,866,478 in the first and second years</p>	<p>expected to be received in the current fiscal year from any source authorized for the State Distributive School Account. No amount may be transferred unless requested by the Director of the Office of Finance in the Office of the Governor.</p> <p>Sec. 10. The amounts of the guarantees set forth in sections 1 and 2 of this act may be reduced to effectuate a reserve required pursuant to NRS 353.225.</p> <p>Also of special importance is Section 13 (page 9): Each school district shall expend the revenue made available through this act, as well as other revenue from state, local and federal sources, in a manner which is consistent with NRS 288.150 and which is designed to attain the goals of the Legislature regarding educational reform in this State, especially with regard to assisting pupils in need of remediation and pupils who are not proficient in the English language. Materials and supplies for classrooms are subject to negotiation by employers with recognized employee organizations.</p> <p>Section 14 (pages 9 and 10) reiterates the Legislative intent regarding CLASS SIZE REDUCTION:</p> <p>Section 14. The Legislature hereby finds and declares that: 1. Available money is estimated to provide a sufficient number of teachers to achieve in each school district pupil-teacher ratios of 17 pupils per teacher in grades 1 and 2 in Fiscal Year 2015-2016 and Fiscal Year 2016-2017, and to achieve a pupil-teacher ratio of 20 pupils per teacher in grade 3 in Fiscal Year 2015-2016 and Fiscal Year 2016-2017.</p> <p>2. Certain school districts do not have a sufficient number of classrooms available to permit an average class size of 20 pupils per teacher in grade 3.</p> <p>3. It is unreasonable to assign 2 teachers to classrooms of 40 pupils to attain a district-wide pupil-teacher ratio of 20 pupils per teacher in grade 3.</p> <p>4. School districts may, instead, attain the desired pupil-teacher ratio in classes where core curriculum is taught by using alternative methods of reducing the ratio, such as employing teachers to provide remedial instruction.</p> <p>5. School districts may wish to use money for class-size reduction to carry out programs that have been</p>	
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	<p>of the biennium to carry out the provisions of Senate Bill 474 [Great Teaching and Leading Fund].</p> <p>Section 38 appropriates \$4,000 for the second year of the biennium to carry out the provisions of Senate Bill 508 [Nevada Plan special education weighted funding].</p> <p>Section 39 appropriates \$2,000,000 in each year of the biennium to purchase one-fifth of a year of retirement credit for educators teaching in at-risk schools.</p>	<p>found to be effective in improving academic achievement.</p> <p>6. The Legislature has specifically designed the laws relating to class-size reduction to allow the local school districts the necessary discretion to effectuate the reduction in the manner appropriate in their respective districts.</p> <p>7. School districts are encouraged, to the extent possible, to further reduce the pupil-teacher ratio in each classroom in the district for grades 1, 2 and 3 for which additional funding is provided.</p> <p>8. The Legislature intends to continue the reduced pupil teacher ratio for grades 1, 2 and 3 throughout the State.</p> <p>Section 17 requires each board of trustees to do these several things with regard to CLASS SIZE REDUCTION:</p> <p>(a) File a plan with the Superintendent of Public Instruction describing how the money transferred pursuant to sections 15 and 16 of this act will be used to comply with the required ratio of pupils to teachers in grades 1, 2 and 3; and</p> <p>(b) May, after receiving approval of the plan from the Superintendent of Public Instruction, use the money transferred pursuant to sections 15 and 16 of this act to carry out:</p> <p>(1) An alternative program for reducing the ratio of pupils per teacher, including, without limitation, any legislatively approved program of flexibility; or</p> <p>(2) Programs of remedial education that have been found to be effective in improving pupil achievement in grades 1, 2 and 3, so long as the combined ratio of pupils per teacher in the aggregate of kindergarten and grades 1, 2 and 3 of the school district does not exceed the combined ratio of pupils per teacher in the aggregate of kindergarten and grades 1, 2 and 3 of the school district in the 2004-2005 school year.</p> <p>The plan approved by the Superintendent of Public Instruction must describe the method to be used by the school district to evaluate the effectiveness of the alternative program or remedial education programs in improving pupil achievement.</p> <p>In no event must the provisions of this section be construed to authorize the board of trustees of a school district in a county whose population is</p>	
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		100,000 or more to develop an alternative plan for the reduction of pupil-teacher ratios pursuant to subsection 2 of NRS 388.720.		
	<p>Guidance Memo re Section 19 Career and Technical Education from Dale Erquiaga, State Superintendent of Public Instruction [July 2, 2015]: Three applications were released on July 1, 2015, and are available on the Department’s website at: http://cteae.nv.gov/Career_and_Technical_Education/CTE_Grants_Home/.</p> <ul style="list-style-type: none"> • FY16 State CTE Competitive RFA – this grant competition provides for new programs, program expansion, and program improvement. • FY16 State CTE Allocation Fund RFA – this allocation grant provides funding based on student counts for program expansion, improvement, and support. • FY16 State CTE Allocation Fund RFA (New Programs) – this allocation grant provides funding based on student counts for districts to develop new programs where such programs did not exist. <p>The applications were the result of significant feedback and open development processes. For example, all districts were invited to provide input about the new application process at a meeting in Reno on June 15, 2015. Specifically, Clark County School District was represented at that meeting by four staff members.</p> <p>Each application provides clear timelines and guidance to complete the sections as well as a clear overview of evaluation process. Briefly, the competitive grant application will be due approximately forty-five (45) days from the date of release, while allocation grants will be due October 2, 2015. Competitive grant awards are confirmed by the Superintendent of Public Instruction (Superintendent) following the review committee recommendations of representatives of the industry sector councils. The review committee rates all applications and then collectively makes funding recommendations; those recommendations are then presented to the Superintendent.</p> <p>Allocation grant awards are formula based. Those applications are reviewed by NDE staff to determine if the application meets the requirements and allowable uses of funds of the state application. Modifications are often negotiated with LEA staff. Please refer to each application for more detail. Initial funds will be awarded the first week of July for those applications submitted in May and based on the fiscal year 2015 authorization (as referenced in Guidance Memorandum #15-03). The funds will be awarded for the additional funding authorized by the Legislature as follows:</p> <ul style="list-style-type: none"> • Competitive grant applications: The estimated time for the announcement of these awards is early September, such as September 1. • Allocation grant applications: The due date for the new allocation grant applications will be October 2. A later due date was actually proposed by CCSD staff in the meeting on June 15 and other stakeholders concurred. The reason for the extended due date is to allow districts greater flexibility, whereby districts can submit the new allocation grant applications prior to that time or they can wait until the competitive grant application awards are announced to determine if allocation funds should be used for other purposes. The NDE has agreed to award partial funding in stages up through October 2 for the allocation funds, to add even more flexibility. <p>Districts and qualifying charter schools may use funds on human capital as long as supplanting is not an issue. Prep buyouts to augment course offerings, such as level 3 courses, may be sought. The viability of the human capital strategy will be evaluated by the review committee in their evaluation of the competitive grant. Using state or federal grant funds to pay for certifications of personal benefit has not been allowed in the past, based on non-regulatory guidance issued by the U.S. Department of Education for the Carl Perkins Act. The Department is eager to work with stakeholders on this issue.</p> <p>An essential goal of the Department of Education is to increase students who complete CTE programs (completing the third-level course in a three-course sequence.) In fact, program expansion has now been more narrowly defined to mean either: (1) adding programming to serve a greater numbers of students (i.e., adding more course sections) for beginning through advanced courses, or (2) adding courses to enable students to complete the full sequence and qualify for the State Certificate of Skill Attainment, where such completion level courses did not previously exist.</p>			

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	<p>Guidance Memo re Section 20 Gifted and Talented Students from Dale Erquiaga, State Superintendent of Public Instruction [July 1, 2015]: <i>for pupils enrolled in school districts and charter schools who qualify for gifted and talented education (GATE) programs (NAC 388.043, 388.150). The money will be distributed on a per pupil basis to students who have been identified as gifted and talented through a state-approved assessment or procedure or both (NAC 388.435). The small competitive grants for technology and related GATE programs will no longer be provided. Pursuant to Senate Bill 515, Section 20 (2), the first payment for School Year 2015-2016 will be paid in July 2015 and be based on the October 1, 2014 Child Count Data. Please see page 3 of this memorandum for 2015-2016 allocations.</i></p> <p><i>Requirements for GATE Funds</i></p> <ul style="list-style-type: none"> • <i>Districts and charter schools are expected to have appropriately qualified teachers with the Gifted and Talented endorsement.</i> • <i>Districts and charter schools are expected to use the funds to expand services and support to children identified as Gifted and Talented in a manner aligned to an existing plan or strategic plan. In the event that a district does not have an existing plan or other guiding document that reflects community and school input, then a district or charter school is expected to conduct such an exercise.</i> • <i>To the extent present, districts and charter schools are expected to address disproportionality of GATE students (i.e., the demographic composition of the community is not reflected in the identified GATE student population). Strategies may be modeled after the Child Find requirements under the Individuals with Disabilities Education Act (IDEA).</i> • <i>Districts and charter schools are encouraged to expand or implement effective practices in GATE programming, social-emotional learning, and a continuum of service and support for GATE students from elementary through high school.</i> <p><i>Reporting requirements are also included in the Guidance Memorandum.</i></p>	
	<p>Guidance Memo re Section 30 Full Day Kindergarten from Dale Erquiaga, State Superintendent of Public Instruction [July 2, 2015]: <i>This legislation and the corresponding appropriation seek to complete the work of making full-day kindergarten (FDK) available at all schools, without the need for tuition-based programs. The intent of the Governor and Legislature was to complete a phased approach to expanding FDK in the second year of the upcoming biennium; the work is somewhat complicated by provisions of SB 405 and SB 432. Funding has also been provided for charter schools for the first time. Districts are making decisions about which schools should have priority for State-funded FDK in the first year of the biennium.</i></p> <p><i>Given the limits of the legislative appropriation in Fiscal Year 2015-2016, tuition-based programs may continue for one more year at the discretion of each district or charter school. Alternatively, by using other available funds, a district may choose to eliminate all tuition-based programs in the first year of the biennium. Some matters from your letters concerning Senate Bills 405 and 432 are also addressed in this memorandum, following the issuance of earlier guidance on Zoom and Victory Schools.</i></p> <p><i>The issue of which schools to prioritize in the first year is a matter of local control, although some guidance is offered herein. While SB 515 states that funds will be allocated based on the percentage of pupils eligible for free or reduced-priced lunch (FRL), I understand that some schools currently offering tuition-based FDK may not have significant numbers of FRL students. Therefore, when prioritizing for phased implementation in School Year 2015-2016, a school district may first serve any school with an FRL population (and proceed based on percentage levels if there are more schools) and may then establish another means of determining which schools will receive State FDK funding. The means of such determination may include, but is not limited to, the following options: the level of performance on the Nevada School Performance Framework, a random lottery among remaining schools, or the pre-existence of tuition-based kindergarten.</i></p> <p><i>Zoom School and Zoom Grant funding may be used in School Year 2015-2016 to ensure the English language learner population has access to FDK at each site that is served with these dollars. Districts and charters have the discretion to make this decision. By School Year 2016-2017, however, FDK dollars should cover all Zoom Schools in Clark County and Washoe County such that additional Zoom Schools can be added at that time. It should also be possible for FDK dollars to cover rural and charter schools in the second year of the biennium such that Zoom Grants in that year can be directed to other allowable strategies and interventions. (NOTE: If this is expected to be an issue for a district or charter school receiving Zoom funding, please notify Jane Splean, Assistant Director NDE.) The stated goal is that Zoom and FDK funds are completely independent of each other in Fiscal Year 2016-2017, and tuition-based</i></p>	

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	<p>kindergarten should be eliminated. It is the understanding of this office that all Victory Schools already offer FDK. Thus, the new funding is not at issue in those schools.</p> <p>Questions have also been submitted relating to accessing State funds to purchase portables for the implementation of FDK in certain school districts and charter schools. As noted during the Legislative Session, Clark County School District testified that they did not require such funding for portables. All other school districts and charter schools may submit a request for funds to Mindy Martini, Deputy Superintendent for Business and Support Services. In submitting the request, please provide the number of portables requested; the cost per portable; and justification for the request. All requests for funds must be submitted on or before July 15, 2015. As in prior year, awards will be prorated or made on a competitive basis if necessary.</p>	
	<p><u>Guidance Memo from Dale Erquiaga, State Superintendent of Public Instruction [June 19, 2015] :</u> <u>Senate Bill 515, Section 4 – Special Education Funding</u> Unit funding has not changed for School Year 2015-2016, and the Board will make its allocations at an upcoming public meeting following the same parameters and considering the same factors as in prior years. If any action is required of district and charter school staff, they will be notified, and will be able to attend the Board meeting. Per pupil or “weighted” allocations do not begin until School Year 2016-2017, so additional guidance will likely follow on that matter.</p> <p><u>Senate Bill 515, Section 19, Subsections 5 (d) and (e) – Nevada Ready 21</u> The Nevada Ready 21 Technology program for certain middle schools, including the related WAN program, is the purview of the Commission on Educational Technology. All 16 of the questions you pose in two letters will be answered in the regular public meetings held by that body and the documents generated with its approval, or should be addressed to that body during public comment. The first such meeting is Monday, June 22 at 1:00 p.m.</p> <p><u>Section 515, Section 19, Subsection 5(f) – Career & Technical Education (CTE)</u> Some grants have already been decided under the prior CTE program, based on known “base” budget amounts. New application guidelines will be issued by the Department for the additional funding provided in the approved budget; your questions are properly answered in those documents, just as they have always been handled. The Department works closely with its stakeholders and sector councils in developing these guidelines.</p> <p><u>Senate Bill 515, Section 22 – College and Career Readiness Grants</u> A request for proposals to implement this grant program will be forthcoming. If you have suggestions for the program scope, please feel free to submit them to this office. You need take no other action until the Department determines the manner in which it will release those funds.</p> <p><u>Senate Bill 515, Section 23 – Licensed Mental Health Workers</u> As stated numerous times in public testimony, the block grants contemplated for this program will be distributed based on the administration of a mental health survey or “screener” to be administered in the fall of 2015. With limited funding available, certain high-need schools will be identified from the survey results. Some schools will be funded in the first year, more in the second year. When the first grants are released, tentatively December-January of the upcoming school year, definitions, restrictions, and reporting requirements will be included. You need take no further action until you are contacted regarding the survey administration.</p> <p><u>Senate Bill 515, Section 38 – Special Education Contingency Account</u> The Special Education Contingency Account will be the subject of regulations prescribed by the State Board during School Year 2015-2016. I cannot speak for the Board on this matter and suggest your staff monitor the Department’s agenda postings for the relevant workshops and public hearings. You need take no further action but are advised to monitor the regulation process and meetings.</p>	

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GOVERNANCE and ELECTED OFFICIALS

<p>AB19</p>	<p>Under existing law, certain local governmental entities which have the right to levy or receive money from ad valorem or other taxes, or any mandatory assessments, are required to prepare a tentative budget for the ensuing fiscal year. Such a local governmental entity must submit the tentative budget to the Department of Taxation and then give notice of a public hearing on the tentative budget. Existing law requires that such a budget hearing must be held: (1) for county budgets, on the third Monday in May; (2) for city budgets, on the third Tuesday in May; (3) for school districts, on the third Wednesday in May; and (4) for all other local governments, on the third Thursday in May or the Friday immediately succeeding the third Thursday in May. (NRS 354.596) This bill eliminates the requirement that the budget hearing be held on those specified days and instead requires that the budget hearing be held not sooner than the third Monday in May and not later than the last day in May.</p>	<p>School boards may wish to review future meeting dates to accommodate the latitude included in this new statute, if appropriate.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Assembly Committee on Government Affairs NRS 354</p>
<p>AB23</p>	<p>Under existing law, a person may not contribute or commit to contribute more than \$5,000 for a primary election and \$5,000 for a general election to a candidate for state, district, county or township office during the period beginning 30 days before the start of the regular session of the Legislature immediately after a general election for that office and ending 30 days before the start of the regular session of the Legislature immediately following the next general election for that office. During the same period, a person is prohibited from making or committing to make a contribution to a legal defense fund of a candidate or public officer in an amount which exceeds \$10,000. Existing law also prohibits a candidate or public officer, as applicable, from accepting a contribution or commitment to make a contribution in excess of those amounts. (Nev. Const. Art. 2, § 10; NRS 294A.100, 294A.287) Section 2 of this bill changes the period to which those contribution limits apply so that the period begins on January 1 immediately after a general election for an office and ends on December 31 immediately after the next general election for that office.</p>	<p>This bill relates to elections and contains a number of changes regarding the conduct of elections and dates for the general city elections including Boulder City, Caliente, Henderson, Las Vegas, North Las Vegas, and Yerington.</p> <p>In addition, Section 2 regarding campaign contributions may be of interest to board members as elected officials.</p> <p>Sections 1, 1.7 to 3, inclusive, and 14 of this act become effective on July 1, 2015. Sections 1.3, 1.5, 4 to 13, inclusive, and 15 of this act become effective on January 1, 2016.</p>	<p>Assembly Committee on Legislative Operations and Elections NRS 293</p>
<p>AB54</p>	<p>Section 1 of this bill revises provisions providing for the operation of the Committee on Local Government Finance. Sections 4 and 5 of this bill generally provide for the withholding of certain payments to which a local government may otherwise be entitled for failing to file certain financial reports or to make certain payments to the Public Employees' Benefits Program. Section 6 of this bill requires the Department, upon making a determination that certain financial conditions exist in a local government and after giving consideration to the severity of each such condition, to place the local government under a program of monitoring. Section 7 of this bill establishes the process by which the Committee and the Commission determine that a local government exists in a severe financial emergency and requires the Commission, upon making such a determination, to order the local government to follow a remedial course of action. Section 8 of this bill revises the duties of the Department upon taking over the management of a local government found to exist in a severe financial emergency, including requiring the Department to: (1) negotiate and approve employment contracts of the local government; (2) open and renegotiate, or assist the local government in renegotiating, existing collective bargaining agreements and employment</p>	<p>As a reminder, NASB has three representatives on the Committee on Local Government Finance, including Marty Johnson, Jim McIntosh, and Jeff Zander.</p> <p>This bill sets forth various conditions under which the Department of Taxation may place a local government under a program of monitoring, including the creation of a plan to increase revenues and reduce expenditures for that local government.</p> <p>School board members will want to become familiar with this information.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Assembly Committee on Government Affairs NRS 354</p>

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	Section 11 of this bill authorizes the distribution of money in the Severe Financial Emergency Fund to a local government as a loan for the purpose of discharging the general obligations of the local government. Section 11 further extends the period within which a local government may repay certain interest-free loans distributed by the Executive Director of the Department to the local government from the Fund contracts; and (3) meet and negotiate in good faith with creditors of the local government.		
AB60	This act relates to ethics in government; revising provisions relating to ethics in government; and providing other matters properly relating thereto. The Ethics Law includes a "safe harbor" provision, whereby any act or failure to act by a current or former public officer or employee is deemed to not be a willful violation if the public officer or employee establishes by sufficient evidence that: (1) the public officer or employee relied in good faith upon the advice of the legal counsel retained by his or her public body, agency or employer; and (2) the act or failure to act by the public officer or employee was not contrary to a prior published opinion issued by the Commission. (NRS 281A.480) Section 5 of this bill clarifies that to qualify for protection under the "safe harbor" provision, the advice of the legal counsel must have been: (1) provided to the public officer or employee before he or she acted or failed to act; and (2) based on a reasonable legal determination by the legal counsel under the circumstances when the advice was given that the act or failure to act would not be contrary to any prior published opinion issued by the Commission which was publicly available on the Internet website of the Commission.	Board members may wish to consult with their legal counsel regarding the sections of this bill that are intended to clarify protection under the "safe harbor" provision.	Assembly Committee on Legislative Operations and Elections NRS 281A
AB63	Under existing law, each candidate for elected office must report to the Secretary of State contributions and campaign expenses, certain loans to the candidate and loans previously made to the candidate that have been forgiven, and contributions to and expenditures made from a legal defense fund. Existing law specifies the dates, both before and after an election, by which the reports must be filed. (NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286, 294A.362) A candidate for office who ends his or her campaign without officially withdrawing may simultaneously file all of the reports that are still due from the candidate, once the candidate has disposed of any unspent or excess contributions and has notified the Secretary of State that he or she is ending the campaign and will no longer accept contributions. (NRS 294A.350) This bill clarifies that if such a candidate is elected to office, despite ending his or her campaign, the candidate must begin filing campaign finance reports again, starting with the next report that is due after his or her election to office.	As elected officials, board members will want to ensure that they understand the provisions of this bill dealing with unspent or excess contributions at the end of campaigning.	Assembly Committee on Legislative Operations and Elections NRS 294A
AB159	Section 3 of this bill provides that a public body, in any solicitation, contract or other document related to a contract for a public work, shall not: (1) require or prohibit a bidder or contractor from entering into or adhering to any agreement with one or more labor organizations in regard to the public work; or (2) discriminate against a bidder or contractor for entering or not entering into, or adhering or refusing to adhere to, any agreement with one or more labor organizations in regard to the public work. Section 3 further prohibits a public body from awarding a grant, tax abatement, tax credit or tax exemption that is conditioned upon a requirement that the awardee include in a contract for a project that is the subject of the grant, tax abatement, tax credit or tax exemption a term that: (1) requires or prohibits a bidder or contractor from entering into or adhering	Boards will want to become familiar with the provisions of AB159 and the specific ways that it may impact their projects and contracts.	Assembly Committee on Government Affairs NRS 338

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	to any agreement with one or more labor organizations in regard to the project; or (2) discriminates against a bidder or contractor for entering or not entering into, or adhering or refusing to adhere to, any agreement with one or more labor organizations in regard to the project. Section 3 also allows a public body to exempt a particular public work or a grant, tax abatement, tax credit or tax exemption from those restrictions if the public body makes a finding, after notice and a hearing, that: (1) special circumstances require such an exemption to avert an imminent threat to public health or safety; or (2) the public work or construction, improvement, maintenance or renovation to real property that is the subject of the grant, tax abatement, tax credit or tax exemption, as applicable, is a part of critical infrastructure for an airport or a water system. Such a finding of special circumstances must not be based on the possibility or presence of certain labor disputes. Section 2 of this bill provides that the Legislature finds and declares that the provisions of section 3 are intended to provide fair and open competition and more economical, nondiscriminatory, neutral and efficient contracts for public works by this State and public bodies in this State as market participants, and that the provisions of section 3 are the best method for effectuating that intent. Section 4 of this bill provides that the provisions of this bill do not affect any contract for a public work or for any project that is funded in whole or in part by a grant, tax abatement, tax credit or tax exemption from a public body that was entered into before July 1, 2015.		
AB394	This bill authorizes boards of trustees of contiguous school districts to consolidate their respective school districts; creating an advisory committee and technical advisory committee for the purpose of developing a plan to reorganize the Clark County School District into certain LOCAL SCHOOL PRECINCTS ; providing for the membership, compensation and duties of the committees; requiring the State Board of Education to adopt regulations providing for the implementation of the plan; revising provisions related to collective bargaining, contingent upon implementation of the plan; and providing other matters properly relating thereto.	The provisions of AB394 will be of particular interest to the Clark CSD Board of School Trustees. Other boards will want to observe the process and progress of the plan to reorganize the Clark CSD into "local school precincts." Sections 20.1, 20.2 and 21 to 29, inclusive, of this act become effective on July 1, 2015. Sections 20.3 to 20.9, inclusive, of this act become effective upon the issuance of the proclamation by the Governor pursuant to section 28.3 of this act.	Gardner, Fiore, Jones, Silberkraus, Hickey, Dickman, O'Neill, Seaman, and Trowbridge NRS 277 and 288
SB5	Existing law designates certain elective offices as nonpartisan offices, which include judicial offices, school offices, the office of county sheriff, the Board of Regents of the University of Nevada, city and town officers, the State Board of Education and members of boards of hospital trustees of public hospitals. (NRS 293.195) Existing law also establishes certain rules for determining whether candidates for nonpartisan offices appear on the ballot for a primary election or the general election. (NRS 293.260) This bill revises some of those rules. Except for nonpartisan offices in certain cities, existing law provides that if there are more than twice the number of candidates to be elected to a nonpartisan office: (1) the names of the candidates must appear on the primary election ballot; and (2) those candidates who receive the highest number of votes at the primary election, not to exceed twice the number to be elected, must be declared nominees for the office and their names must be placed on the general election ballot. (NRS 293.260) Section 1 modifies this rule for most nonpartisan offices and provides that if one candidate receives a majority of the votes cast in such a primary election, the	Board members will want to become familiar with the provisions of SB5. This act becomes effective on October 1, 2015.	Settelmeyer NRS 293 and 293C

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	<p>candidate is declared elected to the office and his or her name is not placed on the general election ballot. However, if one candidate receives a majority of the votes cast in such a primary election for the nonpartisan office of judge of a district court, judge of the Court of Appeals or justice of the Supreme Court, the candidate is declared the only nominee for the office and his or her name is placed on the general election ballot. Section 2 of this bill amends the statute to clarify that such a candidate need only receive a majority of the votes cast, not some greater number, to be declared to be elected.</p>		
<p>SB70</p> 	<p>The OPEN MEETING LAW only applies to meetings of a quorum of the members of certain public bodies. (NRS 241.016) "Quorum" is defined in existing law as "a simple majority of the constituent membership of a public body or another proportion established by law." Section 2 of this bill deletes the extraneous word "constituent" from this definition, thereby clarifying that a quorum consists of a simple majority of the members of the public body unless a different number is prescribed in law. The Open Meeting Law specifies a certain number of working days by which a public body is mandated to comply with certain requirements with respect to its meetings, such as providing notice of its meetings and making available minutes or audio recordings of its meetings. (NRS 241.020, 241.033-241.035) Section 2 defines "working day" for purposes of these requirements as every day of the week except Saturday, Sunday and legal holidays prescribed in existing law. Therefore, if an agency has a 4-day workweek and is closed on Fridays, for example, Friday would nevertheless count as a working day for that agency for purposes of the requirements of the Open Meeting Law unless a particular Friday is a legal holiday. Under existing law, any provision of law which provides that a meeting, hearing or other proceeding is not subject to the Open Meeting Law or otherwise authorizes or requires a closed meeting, hearing or proceeding prevails over the general provisions of the Open Meeting Law. (NRS 241.016) Section 3 of this bill lists examples of other such provisions of law that prevail over the general provisions of the Open Meeting Law. Under existing law, if a public body will consider whether to take administrative action against a person during a public meeting, the agenda for the meeting is required to include the name of the person against whom the public body may take administrative action. (NRS 241.020) Section 4 of this bill broadens this requirement for agendas to apply to other types of administrative action that a public body may take that are not adverse to a person, such as, for example, appointment of the person to a position. The Open Meeting Law sets forth the minimum public notice required for meetings of public bodies subject to the Open Meeting Law. (NRS 241.020) Section 4 of this bill requires such a public body to document in writing its compliance with the requirement for minimum public notice to post a copy of the public notice at required locations for each of its meetings. Under the Open Meeting Law, a member of a public body is prohibited from designating a person to attend a meeting of the public body in the place of the member unless the designation is expressly authorized by the legal authority pursuant to which the public body was created. (NRS 241.025) Section 5 of this bill extends this prohibition to the public body itself, thereby prohibiting a public body from designating a person to attend a meeting of the public body in the place of a member of the public body without specific legal authority. Under the Open Meeting Law, a public body is required to keep written minutes of each of its meetings. (NRS 241.035) Section 6 of this bill</p>	<p>These are the essential elements for school board awareness and use:</p> <ul style="list-style-type: none"> ❖ Section 2: A quorum consists of the simple majority of the members of the public body unless a different number is prescribed in law. ❖ Section 2: For purpose of notice and other requirements, "working day" means every day of the week except Saturday, Sunday, and legal holidays. ❖ Section 4: If during any portion of the meeting the public body will consider whether to take administrative action regarding a person, the name of that person must be included on the agenda. ❖ Section 4: the person who posts a copy of the public notice/agenda must document in writing that the public body has complied with the minimum public notice required and must include the date and time when the person posted the copy of the public notice as well as his/her name and title. ❖ Section 5: A member of the public body may not designate someone else to attend a meeting of the public body in his/her place. ❖ Section 5: Unless good cause is shown, a public body shall approve the minutes of a meeting within 45 days after the meeting or at the next meeting of the public body, whichever occurs later. ❖ Section 5: An audio recording of a public meeting made in accordance with NRS 241 must be made available for inspection by the public within 30 working days after adjournment of the meeting. ❖ Section 7: When a complaint alleging a violation of NRS 241 is filed with the Attorney General, except as otherwise provided, all documents and other information compiled as a result of the investigation are confidential until the investigation is closed. 	<p>Senate Committee on Government Affairs NRS 241</p>

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	<p>requires a public body to approve the minutes of a meeting of the public body within 45 days after the meeting or at the next meeting of the public body, whichever occurs later, unless good cause is shown.</p> <p>With certain exceptions, the Attorney General is required under existing law to investigate and prosecute violations of the Open Meeting Law. (NRS 241.039)</p> <p>Section 7 of this bill authorizes the filing of a complaint alleging a violation of the Open Meeting Law with the Office of the Attorney General. Section 7 also makes all documents and other information compiled as a result of an investigation of a violation of the Open Meeting Law confidential until the investigation is closed except: (1) the complaint; (2) findings of fact and conclusions of law made by the Attorney General relating to the complaint; and (3) any document or information compiled as a result of the investigation that may be requested for inspection or copying from a governmental entity other than the Office of the Attorney General.</p>	<p>❖ Section 7: "Public records" are defined.</p> <p>This act becomes effective upon passage and approval.</p>	
SB157	<p>This act enacts the STATE AND LOCAL GOVERNMENT COOPERATION ACT. Section 7 of this bill provides that the purpose of the Act is to encourage communication, cooperation and coordinated working relationships between state agencies and local governments. To carry out this purpose, section 7 provides that state agencies and local governments should, to the extent practicable: (1) inform each other of certain plans or amendments thereto; (2) solicit and consider comments from each other; and (3) consider whether the state agency or local government, as applicable, can make the proposed plan or amendment consistent with certain other plans. Sections 5-6 of this bill define "local government," "plan" and "state agency" for the purposes of the Act. Section 9 of this bill provides that nothing in the Act shall be interpreted to limit the power of a state agency or local government to carry out its statutory duties and responsibilities.</p>	<p>School boards will want to review the provisions of SB157 in order to ensure that they are communicating, cooperating, and coordinating with state and other local governments as set forth here.</p> <p>This act becomes effective on October 1, 2015.</p>	<p>Senate Committee on Government Affairs NRS 277</p>
SB231	<p>This act relates to workers' compensation; limiting the amount of a controlled substance that certain providers of health care may dispense to an injured employee; revising provisions related to the time that an insurer has to pay a bill submitted by a provider of health care; revising provisions relating to injured employees who were injured while intoxicated or under the influence of a controlled or prohibited substance; and providing other matters properly relating thereto.</p>	<p>School boards will want to ensure that the provisions of SB231 are handled appropriately within their districts.</p> <p>This act becomes effective upon passage and approval for the purposes of adopting any regulations or performing any preparatory administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2016, for all other purposes.</p>	<p>Senate Committee on Commerce, Labor, and Energy NRS 616C</p>
SB232	<p>This act relates to workers' compensation; providing to a workers' compensation insurer, organization for managed care, third-party administrator or employer certain subrogation rights regarding certain payments made for the treatment of an injured employee; revising provisions relating to the reopening of a workers' compensation claim; revising provisions relating to a lump-sum award to an employee for a permanent partial disability; and providing other matters properly relating thereto.</p>	<p>School boards will want to ensure that the provisions of SB232 are handled appropriately within their districts.</p> <p>This act becomes effective upon passage and approval for the purposes of adopting any regulations or performing any preparatory administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2016, for all other purposes.</p>	<p>Senate Committee on Commerce, Labor, and Energy NRS 616C</p>

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SB307	This act revises provisions relating to the lobbying of State Legislators; revising provisions regulating gifts to public officers and candidates for public office; revising provisions governing financial disclosure statements filed by such public officers and candidates; providing penalties; and providing other matters properly relating thereto.	<p>School board members will want to ensure that they are aware of the provisions of SB307, especially with regard to financial disclosure statements.</p> <p>The provisions of this act do not apply to a financial disclosure statement that is filed by a public officer or candidate to report information for any period that ends before January 1, 2016. This act becomes effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act and on January 1, 2016, for all other purposes.</p>	Roberson NRS
SCHOOL CONSTRUCTION			
AB170	This act relates to municipal obligations; clarifying that a general obligation issued or incurred by a municipality or school district must be used only for the stated purpose for which the general obligation was originally issued or incurred; requiring certain information to be included in certain publications relating to the intent of a municipality to issue or incur obligations; revising the manner of publication of a certain notice; and providing other matters properly relating thereto.	<p>The provisions of AB170 mandate that a municipality or school district must use any general obligations issued or incurred for the specific use for which they were originally issued or incurred. Notice requirements in Section 1 will also impact school districts.</p> <p>This act becomes effective on October 1, 2015.</p>	Dickman, Wheeler, Fiore; Ellison, Hambrick, Moore and Shelton NRS 350
AB332	This act relates to public works; prohibiting a public body from entering into certain contracts for public works which allow for purchase by the public body of the construction materials or goods to be used in the public work; providing that the Attorney General shall enforce the prohibition against such a contract for a public work; directing the Department of Taxation to withhold certain money payable to a public body which violates such a prohibition in a contract for a public work; revising provisions relating to certain construction projects of the Nevada System of Higher Education; revising the minimum qualifications for the Administrator of the State Public Works Division of the Department of Administration; providing a penalty; and providing other matters properly relating thereto.	<p>Section 1 of this bill prohibits any public body including the State, its local governments, school districts, and any public agency thereof which sponsors or finances a public work from entering into an express or implied contract for a public work which provides that any construction materials or goods to be used on the public work be purchased or otherwise supplied by:</p> <ol style="list-style-type: none"> (1) the public body; (2) a contractor who is a constituent part of the public body; or (3) a contractor who is not a constituent part of the public body acting on behalf of the public body. <p>This act becomes effective on July 1, 2015.</p>	Kirkpatrick, Benitez- Thompson, Carlton, and Hickey NRS 338 and 341
SB119 	Existing law sets forth general requirements applicable to public works, including provisions requiring the payment of prevailing wages to mechanics and workers employed on public works projects. (NRS 338.020-338.090) Section 1 of this bill excludes from the prevailing wage requirement: (1) any contract for a public work or any other construction, alteration, repair, remodeling or reconstruction of an improvement or property to which a school district, a charter	<p>Each local board will want to review the provisions of SB119 as the restrictions on payment of prevailing wage may impact spending on school maintenance and repair as well as building new schools.</p>	Harris and Kieckhefer NRS 338 and 350

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	school or the Nevada System of Higher Education is a party; and (2) a public work of, or constructed by, a school district, a charter school or the Nevada System of Higher Education or any other construction, alteration, repair, remodeling or reconstruction of an improvement or property of or constructed by one of those entities.	This act becomes effective upon passage and approval.	
SB207 	Existing law authorizes the board of trustees of a school district to issue general obligation bonds to raise money for certain specified purposes related to school facilities, including: (1) the construction, design or purchase of new buildings for schools; (2) enlarging, remodeling or repairing existing buildings or grounds for schools; and (3) acquiring sites for building schools. (NRS 387.335) If such a question for the issuance of bonds of a school district has been approved by the voters, this bill authorizes the board of trustees of the school district to issue general obligation bonds for one additional period of 10 years, without any further approval of the voters and regardless of whether the question was approved more than 10 years before the effective date of this bill. For each issuance of bonds during that additional 10-year period, the board of trustees must make the required finding regarding the sufficiency of the existing tax to pay debt service on the bonds and obtain the approval of the debt management commission in the county and, if applicable, the oversight panel for school facilities. During the additional 10-year period, this bill also authorizes the board of trustees to use excess revenue generated from the property tax for debt service of the school district for "pay as you go" funding even though such authorization was not specifically included in the question approved by the voters.	SB207 extends the period for bonding for an additional 10 years without further voter approval and related matters. This act becomes effective upon passage and approval.	Roberson, Harris, Kieckhefer, Hardy, Farley; and Brower NRS 350
SB254	Existing law requires a public body undertaking a public work to withhold as a retainage at least 5 percent from progress payments made to a contractor during the first half of the project. After completion of half of the project, the amount of the retainage becomes optional and any remaining progress payments or withheld retainage may be paid. (NRS 338.515) Section 2 of this bill requires the amount of the retainage to be 5 percent.	Each local board will want to ensure that the 5% retainage is handled appropriately within the district. Section 6 of this act becomes effective upon passage and approval. Sections 1 to 5, inclusive, and 7 of this act become effective on January 1, 2016.	Farley, Hardy, Harris; and Settlemeyer NRS 338 and 624
SB411	This bill relates to taxation; authorizing the board of trustees of a school district under specified circumstances to adopt a resolution establishing the formation of a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of certain taxes to fund the capital projects of the school district; providing that if such a Committee is formed and submits its recommendations to the board of county commissioners within the time prescribed, the board of county commissioners is required to submit a question to the voters at the 2016 General Election asking whether the recommended taxes should be imposed in the county; requiring the board of county commissioners to adopt an ordinance imposing any such taxes that are approved by the voters; providing for the use of the proceeds of such taxes for certain school purposes; providing for the prospective expiration of the authority of a board of trustees to establish such a Committee; and providing other matters properly relating thereto.	SB411 provides an alternative process for developing funds that can be used for capital projects of a school district. This act becomes effective upon passage and approval. Section 1 of this act expires by limitation on April 2, 2016.	Smith, Benitez-Thompson, Hickey, Joiner, and Sprinkle NRS 375

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STUDENTS and STUDENT DATA

AB120 	<p>Section 2 of this bill clarifies that pupils at public schools are entitled to express themselves in a manner consistent with the rights guaranteed by the First and Fourteenth Amendments to the United States Constitution, provided that such expression does not disrupt instruction at a public school, is not used to bully or intimidate any person and is not organized, broadcast or endorsed by the public school. Section 2 also requires the board of trustees of each school district and the governing body of each charter school and university school for profoundly gifted pupils to adopt a grievance policy prescribing procedures for the resolution of a complaint that the rights described in section 2 have been violated.</p>	<p>Local school boards will want to ensure that student handbooks and information posted on the district website include the provisions of Section 2. Moreover, the board of trustees and governing body of a charter school will need to establish a grievance policy in the event of a complaint regarding the rights specified in AB120.</p> <p>This bill becomes effective on July 1, 2015.</p>	<p>Wheeler, Ellison, Jones, Oscarson; Dickman, Dooling, Moore and O'Neill NRS 388</p>
AB121 	<p>Existing law requires a school to suspend or expel a pupil for possessing a firearm or dangerous weapon while on the premises of any public school, attending an activity sponsored by a public school or on any school bus. (NRS 392.466) This bill prohibits a school from disciplining a pupil enrolled in kindergarten or grades 1 to 8, inclusive, for simulating a firearm or dangerous weapon while playing or for wearing clothing or accessories that depict a firearm or dangerous weapon or express an opinion regarding a constitutional right to keep and bear arms except in certain circumstances.</p>	<p>Local school boards will want to ensure that student handbooks and information posted on the district website include the provisions of AB121.</p> <p>NASB encourages each board to set into place a mechanism for tracking occurrences of this kind, particularly when the simulation of a weapon or the wearing of clothing depicting weapons is a part of bullying behavior.</p> <p>This act becomes effective upon passage and approval.</p>	<p>Wheeler, Ellison, Jones; Dickman, Moore, O'Neill and Oscarson NRS 392</p>
AB124	<p>Under existing law, the minimum age at which a child may be punished for a crime is 8 years of age. (NRS 194.010) This bill raises the minimum age at which a child may be punished to 10 years of age unless the child is charged with murder or certain sexual offenses.</p>	<p>Information only.</p> <p>This act becomes effective on October 1, 2015.</p>	<p>Diaz, Carrillo, Elliot Anderson, Kirkpatrick, etc. NRS 48</p>
AB150 	<p>Existing law requires a student to maintain a certain grade point average based on his or her year of graduation to be eligible for a Governor Guinn Millennium Scholarship. (NRS 396.930) This bill extends eligibility for such a scholarship to students who do not meet the minimum grade point average requirement, but who receive a certain score on a college entrance examination administered to the student while the student was enrolled as a pupil in a public or private high school in this State. This bill requires the Board of Regents of the University of Nevada to establish such score requirements.</p>	<p>Local school boards will want to ensure that student handbooks and other information provided to students includes the provisions of AB150.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Stewart, Carrillo, Flores, and Nelson NRS 396</p>
AB166	<p>Section 2 of this bill provides for the establishment of the State Seal of Biliteracy Program to recognize pupils who have attained a high level of proficiency in one or more languages in addition to English by affixing the State Seal of Biliteracy to the diploma and noting the receipt of the State Seal of Biliteracy on the transcript of each pupil who meets certain requirements. Section 3 of this bill prescribes the requirements that a pupil must meet in order to be awarded the State Seal of Biliteracy.</p>	<p>Each board will want to ensure that students are made aware of this opportunity. This may also necessitate additions to student handbooks.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Benitez-Thompson, Diaz, Elliot Anderson, Bustamante Adams, etc.</p>

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<p>AB178</p> 	<p>Existing law authorizes a school to develop a plan of behavior for a pupil who may be deemed a habitual disciplinary problem. (NRS 392.4655) Section 1 authorizes a school to develop such a plan of behavior if a pupil is suspended for any reason. Existing law requires a principal of a school to deem a pupil enrolled in the school a habitual disciplinary problem if the pupil: (1) has threatened or extorted, or attempted to threaten or extort, another pupil or employee of the school; (2) has been suspended for initiating at least two fights on school property or in certain other circumstances; or (3) has a record of five suspensions from the school. (NRS 392.4655) Section 1 instead requires the principal of a school to designate a pupil as a habitual disciplinary problem if: (1) the pupil has threatened or extorted, or attempted to threaten or extort, another pupil or employee of the school two or more times, or the pupil has a record of five suspensions from the school; and (2) the pupil has not entered into and participated in a plan of behavior. Section 2 of this bill removes the requirement that a pupil who is deemed a habitual disciplinary problem be suspended or expelled for at least one semester and instead authorizes the school to suspend the pupil from school for a period not to exceed one semester if the pupil is deemed a habitual disciplinary problem or expel the pupil from school under extraordinary circumstances. Section 2 further requires that a pupil enroll in a private school, a program of independent study or be homeschooled if the pupil is expelled or for the period of suspension only if the suspension is for one semester.</p>	<p>Each board may wish to review existing policies and regulations regarding discipline and consequences for certain behaviors. Sections 1 and 2 may require development of new policy and/or regulations.</p> <p>Students and their parents or guardians may also need to be made aware of the changes included in AB178.</p> <p>This bill becomes effective on October 1, 2015.</p>	<p>Thompson, Araujo, Carrillo, Diaz, Joiner, Neal, Stewart, Ford, and Spearman NRS 392</p>
<p>AB221</p> 	<p>Section 2 of this bill requires the Department of Education to establish, publish and make publicly available on its Internet website: (1) an index of data elements that the Department maintains or proposes to include in the automated system of accountability information for Nevada; (2) an explanation of the index of data elements that must include a description of each data element and the reason for collecting or proposing to collect such an element; and (3) the third-party service providers, organizations and agencies that have access to the data about individual pupils maintained by the Department in this system. Section 2 also requires the Department to update this information at least once each biennium. Section 3 of this bill requires the Department to adopt any policies and procedures necessary to ensure the privacy of data about pupils which are consistent with relevant state and federal privacy laws. Section 3 also requires the Department to review these policies and procedures at least once each biennium and revise them as necessary. Section 4 of this bill requires any contract entered into by the Department, a school district, a charter school, a university school for profoundly gifted pupils or any public school that provides for the disclosure of data that includes any personally identifiable information of a pupil to include: (1) express provisions to protect the privacy and security of such information; and (2) a penalty for intentional or grossly negligent noncompliance with the terms of the contract. Section 5 of this bill requires the Department, in consultation with each school district, the sponsor of a charter school and the governing body of a university school for profoundly gifted pupils to adopt a detailed plan to provide for the security of data that is collected, maintained and transferred by the Department. Section 5 also requires the board of trustees of each school district, the governing body of a charter school and the governing body of a university school for profoundly gifted pupils to carry out this plan. Section 5 requires each school district, sponsor of a charter school and university school for profoundly gifted</p>	<p>A number of important statutory changes in AB221 may require boards to reconsider existing policy and/or regulatory additions or amendments or adopt new policies/regulations.</p> <p>(1) Any contract entered into by the Department of Education, a school district, or a charter school, etc. must provide for the disclosure of data that includes any personally identifiable information to include provisions to protect the privacy and security of such information and a penalty for intentional or gross negligent compliance with the terms of the contract.</p> <p>(2) Working with the Department, each school district, charter school, etc. must adopt a detailed plan to provide for the security of data collected, maintained, and transferred by the Department.</p> <p>(3) Each school district, charter school, etc. must carry out the plan as adopted.</p> <p>(4) Each school district, charter school, etc. must prepare an annual report that describes any significant changes made in data collected concerning pupils and any new data elements proposed for inclusion in the automated system of accountability information.</p> <p>(5) Each school board, governing body, etc. must first establish, then publish and make publicly available, an index of categories of data transferred to the automated system of</p>	<p>Kirner NRS 386, 396, 392</p>

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	<p>pupils to prepare and submit to the Department an annual report concerning any significant changes to the manner in which the school district, charter school or university school for profoundly gifted pupils collects, maintains or transfers data concerning pupils for inclusion in the annual report prepared by the Department. Section 6 of this bill requires the annual report to include: (1) a description of any significant changes made to the collection, maintenance or transfer of data concerning pupils; and (2) any new data elements proposed for inclusion in the automated system of accountability information for Nevada. Section 8 of this bill requires the board of trustees of each school district, the governing body of a charter school and the governing body of a university school for profoundly gifted pupils to establish, publish and make publicly available an index of categories of data transferred to the automated system of accountability information for Nevada. Section 8 also requires the board of trustees of each school district, the governing body of a charter school and the governing body of a university school for profoundly gifted pupils to establish, publish and make publicly available a list of third-party service providers, organizations and agencies that have access to such information. Section 9 of this bill requires the board of trustees of each school district, the governing body of a charter school and the governing body of a university school for profoundly gifted pupils to adopt policies and procedures governing: (1) the use by teachers and other educational personnel of certain software; and (2) the manner in which data concerning pupils may be provided to any person when the provision of such data is not expressly authorized by the board of trustees or the governing body, as applicable.</p>	<p>accountability for Nevada. (6) Each school board, governing body, etc. must adopt policies and procedures governing the use of certain software by teachers and other educational personnel and the manner in which data concerning pupils may be provided to persons, authorized and unauthorized.</p>	
AB234	<p>Existing law requires the Council to Establish Academic Standards for Public Schools to establish standards of content and performance for certain courses of study, including social studies. (NRS 389.520) Section 1.5 of this bill requires: (1) the standards of content and performance for social studies to include multicultural education; and (2) the Council to consult with members of the community who represent the racial and ethnic diversity of this State in developing such standards. Section 2 of this bill requires a licensed teacher who is initially licensed on or after July 1, 2015, to submit with his or her first application for renewal of his or her license proof of the completion of a course in multicultural education. If the teacher is initially issued a nonrenewable license, he or she must submit such proof with his or her first application for a renewable license. Section 2 also requires the Commission on Professional Standards in Education to prescribe the contents and credits required for such a course in multicultural education.</p>	<p>Section 2 specifies that when a teacher is initially licensed on or after July 1, 2015, he/she must submit with his/her application for renewal evidence of the completion of a course in multicultural education. After the Commission on Professional Standards has prescribed the content and credits for such courses, school boards will want to ensure that new teachers hired in the district are aware of this requirement.</p> <p>Eventually after the Council to Establish Academic Standards establishes content and performance standards for multicultural education to be included in the social studies curricula, professional development may be needed for social studies' teachers.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Munford, Hickey, Diaz, Thompson, Flores; Elliot Anderson, Araujo, Benitez-Thompson, Bustamante Adams, Joiner, Kirkpatrick, Neal, Ohrenschall, Sprinkle, etc. NRS 389</p>
AB285	<p>This act allows pupils to self-administer prescribed medications for diabetes under certain circumstances; requiring a public school to establish protocols for containing blood-borne pathogens and the handling and disposal of needles, medical devices and other medical waste; providing immunity from liability to certain school administrators and employees for certain harm as a result of the self-administration of medication by a pupil; and providing other matters properly relating thereto.</p>	<p>Board policy and/or regulations may need to be revised or developed to accommodate the provisions of AB285.</p> <p>This act becomes effective on July 1, 2015.</p>	<p>Woodbury, Oscarson, and Titus NRS 392</p>

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AB328	This act prescribes procedures for the selection of a hearing officer to administer certain hearings relating to pupils with disabilities; requiring a local educational agency involved in a complaint to pay the cost of a hearing; requiring the Department of Education to adopt regulations prescribing certain procedures relating to hearing officers; authorizing the appeal of the decision of a hearing officer to the Department; requiring the Department to post certain information relating to such hearings on its Internet website; and providing other matters properly relating thereto.	Boards will want to ensure that students with disabilities are afforded the provisions of AB328. Parent or guardian notification may be necessary. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on July 1, 2016, for all other purposes.	Elliot Anderson NRS 387 and 388
SB13	This act revises provisions relating to an individualized education program for a pupil with a hearing impairment; revising provisions governing parent representation of the educational interests of a pupil with a disability; revising provisions relating to the minimum standards prescribed by the State Board of Education for pupils with hearing impairments; and providing other matters properly relating thereto.	Section 4 of this bill removes the specific requirements that the minimum standards prescribed for pupils with hearing impairments include certain provisions. Instead, section 4 requires those minimum standards to comply with federal law concerning persons with hearing impairments. This act becomes effective on July 1, 2015.	Senate Committee on Education NRS 388
SB56	This act revises the definition of "graffiti"; expanding the list of items that are considered graffiti implements which are unlawful to carry in certain places; clarifying that a governmental entity may bring a civil action for damages to public property; authorizing the governing body of a city to adopt ordinances to address covering and removing certain graffiti on residential and nonresidential property; revising provisions governing money in a city's graffiti reward and abatement fund; and providing other matters properly relating thereto.	Each board may want to reconsider its policies and/or regulations regarding graffiti in order to include the new provisions of SB56. Changes in student handbooks may be needed. This act becomes effective on October 1, 2015.	Senate Committee on Judiciary NRS 206 and 244
SB176	Under existing law, with certain exceptions, it is a crime for a person to manufacture, import, sell, give, lend or possess certain dangerous or deadly weapons. (NRS 202.350) Section 2 of this bill removes knives which are made an integral part of a belt buckle and switchblade knives from the list of such weapons. Sections 1, 6 and 7 of this bill revise definitions of "switchblade knife" set forth in other provisions of existing law to accommodate the change made by section 2 . Section 9 of this bill repeals a provision of existing law that authorizes a sheriff to issue a permit to allow the manufacture or sale of switchblade knives under certain circumstances. Existing law also prohibits a person from carrying or possessing certain weapons on the property of the Nevada System of Higher Education, a private or public school or a child care facility, or while in a vehicle of a private or public school or child care facility, unless the person: (1) is a peace officer; (2) is a school security guard; or (3) has written permission from the president of a branch or facility of the Nevada System of Higher Education, the principal of the school or the person designated by a child care facility to carry the weapon. (NRS 202.265) Section 1 adds pneumatic guns to the list of prohibited weapons on such property. Under existing law, it is a crime for a person to carry certain dangerous or deadly weapons in a concealed manner unless the person has a permit to do so. (NRS 202.350) Section 2 removes dirks, daggers and knives which are made an integral part of a belt buckle from the list of weapons for which such a permit is	Changes in SB176 may require revisions in board policy or regulation regarding use of weapons on school campuses. Changes in student handbooks may also be needed. This act becomes effective on July 1, 2015.	Settelmeyer, Gustavson, and Goicoechea NRS 202 and 392

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	required. Section 2 also adds pneumatic guns to the list of weapons that a person cannot carry in a concealed manner without a permit to do so.		
SB212	<p>Section 2 of this bill expands the authority of the superintendent of schools of a school district to also modify the suspension or expulsion requirement for good cause shown if a pupil commits a battery which results in bodily injury of a school employee, sells or distributes a controlled substance or is deemed a habitual disciplinary problem. Under existing law, it is unlawful for a person to assault any pupil or school employee: (1) within the building or grounds of a public school; (2) on a bus, van or other motor vehicle used to transport pupils or school employees; or (3) at a school activity. (NRS 392.910) Section 3 of this bill adds a definition of the term "assault" for the purposes of this crime that matches the definition provided in NRS 200.471 for the crimes of assault and battery generally. That definition provides that "assault" means "[u]nlawfully attempting to use physical force against another person . . . or [i]ntentionally placing another person in reasonable apprehension of immediate bodily harm." Existing law also makes it unlawful for a person to maliciously and purposely interfere with or disturb any persons peaceably assembled within a public school building. (NRS 392.910) Section 3 removes the element that the crime be committed "purposely" and adds a definition of the term "maliciously" for the purposes of this crime that matches the definition provided in NRS 193.0175 for crimes generally. That definition provides that "maliciously" means to "import an evil intent, wish or design to vex, annoy or injure another person [, which] may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty."</p>	<p>The provisions of SB212 may require each local board to review existing discipline policy and/or regulation in order to accommodate the expanded authority of the superintendent.</p> <p>This act becomes effective on July 1, 2015.</p>	Hammond, Lipparelli, Gustavson, Harris, Farley, Denis, and Goicoechea NRS 392
SB227	<p>This bill creates the SILVER STATE OPPORTUNITY GRANT PROGRAM. Under the Program, the Board of Regents of the University of Nevada is required to award grants to eligible students who are enrolled in community colleges and state colleges that are part of the Nevada System of Higher Education to pay for a portion of the cost of education at such institutions. Section 3 of this bill sets forth the criteria for eligibility for such a grant. Section 4 of this bill requires the Board of Regents or a designee of the Board to: (1) calculate the maximum amount of the grant which a student is eligible to receive; (2) determine the actual amount each eligible student will receive; and (3) make grants to all eligible students. Section 4 provides that any money awarded under the Program must be used only to pay the cost of education of a student and not for any other purpose. Section 5 of this bill requires the Board of Regents to adopt regulations prescribing the procedures and standards for determining eligibility, the methodology for calculating the financial need of a student and the process by which a student may meet certain requirements for eligibility for a grant.</p>	<p>Local school boards may want to make students aware of this program as appropriate.</p> <p>This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act and on July 1, 2015, for all other purposes.</p>	Kieckhefer, Kihuen, Harris, and Woodhouse NRS 396
SB302 	<p>This act establishes the EDUCATION SAVINGS ACCOUNT program by which a child who receives instruction from a certain entity rather than from a public school may receive a grant of money in an amount equal to the statewide average basic support per pupil; providing for the amount of each grant to be deducted from the total apportionment to the school district; providing a child who receives a grant and is not enrolled in a private school with certain rights and responsibilities; and providing other matters properly relating thereto.</p>	<p>As with vouchers, parents may apply for grants in the amount of the state average per pupil funding. For a child who is a student with a disability or a child with a household income that is less than 185% of the federally designated level signifying poverty, 100% of the statewide average basic support is available. For all other children, 90% of the</p>	Hammond NRS 385

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		<p>statewide average basic support is available. For the first year of the biennium, the statewide average basic support will be \$5,710 [90%=\$5,139]. For the second year of the biennium, \$5,774 per pupil [90%=\$5,196].</p> <p>The funds will be used to open an "education savings account" to be used by the parent on behalf of the child. The accounts will be administered by the State Treasurer. The State Treasurer may deduct not more than 3% of each grant for administrative costs.</p> <p>In order to be eligible for the funds, if the child is required to attend school [between the ages of 7 and 18 years], he/she must have attended public school for at least 100 consecutive school days.</p> <p>The parent may enter into an agreement for the "education savings account" for more than one child.</p> <p>A parent may not establish an "education savings account" for a child who will be home schooled, who will receive instruction outside Nevada, or who will remain enrolled full-time in a public school.</p> <p>Funds may be used to obtain instruction from certain entities defined in the bill as a private school, an eligible institution, a program of distance education, a tutor, or a parent.</p> <p>The funds may also be used for associated expenses such as textbooks, fees for norm-referenced tests, Advanced Placement exams, college entrance exams, and other educational expenses. For students with disabilities for whom transportation is required, the funds may be used for that purpose up to not more than \$750 per school year.</p> <p>The State Treasurer will select a firm to randomly audit the "education savings accounts" annually.</p>	
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		<p>Each participating entity that accepts payments made from "education savings accounts" must ensure that each child on whose behalf funds are received takes any examination in mathematics and English language that are required for pupils of the same grade in public schools. Also included are norm-referenced achievements in mathematics and English language arts. The Department of Education must report the examination aggregated results and associated learning gains.</p> <p>The State Treasurer must administer an annual survey of all parents having "education savings accounts" to indicate the relative satisfaction of the parent with the program and the opinions of the parents regarding the education received.</p> <p>This act becomes effective on July 1, 2015, for the purposes of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act and on January 1, 2016, for all other purposes.</p>	
SB330	<p>This act authorizes a pupil or school to appeal a final decision or order made pursuant to a regulation adopted by the Nevada Interscholastic Activities Association to a hearing officer appointed by the Executive Director of the Association; establishing certain procedural requirements for the disposition of the appeal; requiring that certain rules and regulations adopted by the Association must apply equally to public schools and private schools that are members of the Association; authorizing a pupil who enrolls in a private school or public school to be immediately eligible to participate and practice in a sanctioned sport under certain circumstances; and providing other matters properly relating thereto.</p>	<p>Each local board may wish to review its policy and/or regulation as related to the NIAA to ensure that the stipulations included in SB330 are reflected accurately in policy and/or regulation. Revisions may be needed in student handbooks.</p> <p>Section 6 of this act becomes effective upon passage and approval. Sections 1 to 5, inclusive, and sections 6.5 to 9.5, inclusive, of this act become effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on January 1, 2016, for all other purposes.</p>	<p>Lipparelli, Hammond, Hardy, Harris, and Gustavson NRS 386</p>
SB463 	<p>Section 5 of this bill requires a school service provider to provide to the board of trustees of a school district or the governing body of a school, as applicable, and a teacher who uses a school service, a written disclosure of: (1) the types of personally identifiable information collected by the school service provider; (2) the manner in which such information is used; (3) a description of the plan for security of data concerning pupils which has been established by the school service provider; and (4) any material change to such a plan. Section 3 of this bill defines the term "school service" to mean, with certain exceptions, an Internet website,</p>	<p>This bill focuses upon personally identifiable information as it is connected to what is called "school service." This means an internet website, online service, or mobile application that collects or maintains personally identifiable information concerning a pupil, is used primarily for educational purposes, and—most importantly—is designed and marketed for use in public schools and is used at the</p>	<p>Senate Committee on Education NRS 388</p>

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<p>online service or mobile application that: (1) collects or maintains personally identifiable information concerning a pupil; (2) is used primarily for educational purposes; (3) is designed and marketed for use in public schools; and (4) is used at the direction of teachers and other educational personnel. Section 5 requires a school service provider to: (1) allow certain pupils or the parent or guardian of a pupil to review personally identifiable information about the pupil maintained by the school service provider; and (2) establish a process for making any corrections to such information. Section 6 of this bill limits the circumstances under which a school service provider may collect, use, allow access to or transfer personally identifiable information concerning a pupil. Section 6 requires a school service provider to delete personally identifiable information concerning a pupil at the request of the board of trustees of the school district or the governing body of the school, as applicable. Section 6 requires any agreement entered into by a school service provider that provides for the disclosure of personally identifiable information to limit the circumstances under which the person or governmental entity to whom the information is disclosed may collect, use or transfer such information to circumstances authorized by law. Section 6 also subjects any school service provider that violates these requirements to a civil penalty.</p> <p>Section 7 of this bill requires a school service provider to establish and carry out a detailed plan for the security of any data concerning pupils that is collected or maintained by the school service provider. Section 8 of this bill requires each school district and the governing body of a charter school or university school for profoundly gifted pupils, as applicable, to annually provide professional development regarding the use of school service providers and the security of data concerning pupils. Section 8 also requires teachers and other licensed personnel employed by a school district or charter school to annually complete professional development regarding school service providers and the security of data concerning pupils. Section 8.3 of this bill authorizes a school service provider to use and disclose information derived from personally identifiable information to demonstrate the effectiveness of the products or services of the school service provider. Section 8.5 of this bill prohibits a person or governmental entity from waiving or modifying any right, obligation or liability provided by the provisions of sections 1.5-8.5. Section 8.5 also provides that any condition, stipulation, or provision in a contract that conflicts with the provisions of sections 1.5-8.5 is void and unenforceable. Existing law authorizes a teacher to be suspended, dismissed or not reemployed and an administrator to be demoted, suspended, dismissed or not reemployed for breaches in security or confidentiality of the questions and answers of certain examinations. (NRS 391.3127) Section 9 of this bill instead requires a teacher to be suspended, dismissed or not reemployed and an administrator to be demoted, suspended, dismissed or not reemployed if the teacher or administrator is found, through an investigation of a testing irregularity, to have willfully committed such a breach.</p>	<p>direction of teachers and other educational personnel. The bill further specifies what the term does not include. The school board will want to review existing policy to ensure that the requirements related to "school service" are embodied in policy and/or regulation.</p> <p>Another important term defined in SB463 is "targeted advertising." This term means presenting advertisements to pupils where the advertisement is selected based on information obtained or inferred from the online behavior of the pupil, the use of applications by a pupil, or personally identifiable information concerning a pupil. Board policy may also need to be developed or revised regarding this term and the features below specified in SB463.</p> <p>The board's policy/regulation must ensure that before a school district begins using a school service, the provider of that service must provide a written disclosure in language easy to understand which includes these details:</p> <ol style="list-style-type: none"> (1) The types of personally identifiable information collected by the school service provider and the manner in which information is used; and (2) A description of the plan for security of data concerning pupils. <p>This notice must be provided to the board of trustees of a school district, governing body of a charter school, teachers, administrators, etc.</p> <p>Before the contract is finalized, a process must be developed for the opportunity for a pupil who is at least 18 years old, the teacher of that pupil, the board of trustees, or others to review the information for correction if needed.</p> <p>SB463 establishes a timeline and circumstances for correction or removal of information.</p> <p>The school service provider shall not use personally identifiable information to engage in targeted advertising and may use information collected for purposes of adaptive or personalized learning, maintaining or improving the school service, recommending additional content or services,</p>	
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		<p>soliciting feedback regarding a school service, etc. Changes are also made in NRS388 regarding the willful breach of security or confidentiality of test questions and answers for examinations mandated by the State.</p>	
<p>SB503</p> 	<p>This bill provides for the creation and implementation of the BREAKFAST AFTER THE BELL PROGRAM; requiring public schools with a certain percentage of pupils from low-income families to participate in the Program; providing certain exceptions; prescribing certain powers and duties of the State Department of Agriculture with respect to implementing and enforcing the Program; establishing the disbursements that may be made to a participating school; prescribing the manner in which money received under the Program may be used by a participating school; requiring the Department to prepare an annual report with respect to the implementation and effectiveness of the Program and to submit the report annually to the Governor and the Legislature; and providing other matters properly relating thereto.</p>	<p>This act becomes effective July 1, 2015.</p> <p>Section 6 of the bill creates the Program of Breakfast after the Bell and public schools must participate if they have 70% or more pupils who are eligible for free or reduced-price lunch under the National School Lunch Act.</p> <p>Other provisions in Section 6 set forth circumstances under which a public school is not required to participate after the 2016-17 school year.</p> <p>A public school that would otherwise be required to participate is not required to participate until sufficient money, as determined by the State Department of Agriculture, is available to fund the public school's participation in the Program.</p> <p>New or revised board policy and/or regulation may be needed to implement this program.</p> <p>Each participating public school, in cooperation with the board of trustees of the school district or governing body of the charter school, may determine the model for serving breakfast that is most suited for the school, including without limitation:</p> <ul style="list-style-type: none"> a) Breakfast served in the classroom; b) Grab-and-go breakfasts; and c) Breakfast served in the cafeteria during or after the first period of school or during a morning recess. <p>Section 8 describes the process to be used by the State Department of Agriculture to reimburse the public schools that are participating in the program.</p> <p>In Section 10, if the State Department of Agriculture determines at the end of a school year that a public school participating in the Program has not increased the provision of breakfast to enrolled pupils who are eligible for free or reduced-price lunches under the National School Lunch Act by at least 10 percent, the State Department of Agriculture shall provide written notice of its findings to the school. Section 11 includes</p>	<p>Senate Committee on Finance NRS 387</p>

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		other reporting requirements. The act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on July 1, 2015, for all other purposes.	
MISCELLANEOUS and INFORMATION ONLY			
AB6	This bill relates to autism spectrum disorders; removing certification of autism behavior interventionists by the Board of Psychological Examiners; requiring an autism behavior interventionist to be registered by a certain national board; revising the cap on the amount of required insurance coverage for certain treatment; and providing other matters properly relating thereto.	Information only. Sections 1 to 12, inclusive, 14, 16, 18, 20, 22, 24 and 25 of this act become effective upon passage and approval. Sections 13, 15, 17, 19, 21 and 23 of this act become effective on January 1, 2017.	Assembly Committee on Commerce and Labor NRS 641
AB27	Upon request of a school district, existing law authorizes the Superintendent of Public Instruction under certain circumstances. to issue a license to teach to a person who is not a citizen or lawful permanent resident of the United States but who is otherwise entitled to work in the United States pursuant to federal laws and regulations. This bill removes the requirement that a school district demonstrate that a shortage of teachers exists in a particular subject area as a condition to licensure and instead allows such a person to be licensed to teach if: (1) the school district can demonstrate that any shortage of teachers exists or that the school district has not been able to employ a person possessing the skills, experience or abilities of the person to be licensed and such skills, experience or abilities are needed to address an area of concern for the school district; (2) the person is otherwise qualified to teach; and (3) the school district agrees to employ the person. This bill also authorizes the governing body of a charter school to request the Superintendent to issue a license to such a person and employ such a person in the same circumstances as a school district.	Information only. This act becomes effective upon passage.	Assembly Committee on Education NRS391
AB76	Existing law requires the Department of Education to establish and maintain an automated system of accountability information for Nevada. In part, existing law requires the system, to the extent money is available for this purpose, to include a unique identifier for each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard. (NRS 386.650) Section 1 of this bill requires the Department to share with the Interagency Council on Veterans Affairs, on an annual basis, aggregate data collected under the system concerning those pupils.	Information only. This act becomes effective on July 1, 2015. Section 2 of this act expires by limitation on July 1, 2020.	Assembly Committee on Education NRS 286
AB89	This bill relates to professions; requiring the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to gather and report certain data to the Interagency Council on Veterans Affairs; authorizing a private employer to adopt an employment policy that gives preference in hiring to a veteran or the spouse of a veteran, and other matters properly relating thereto.	Information only; however, each board may wish to ensure that the policies established by AB89 are incorporated into its human resources policies/regulations/procedures. In general, this act becomes effective on July 1,	Assembly Committee on Commerce and Labor NRS 483, 612, and

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		2015. Section 85 of this act becomes effective on the date on which the provisions of 42 U.S.C. § 666 are repealed by the Congress of the United States.	613
AB93	This bill relates to public health; requiring or encouraging certain licensed or certified professionals to receive suicide prevention and awareness training in order to renew a license or certificate; and providing other matters properly relating thereto.	Information only; however, each board may wish to ensure that the certified professionals included in this bill are aware of the new requirements for suicide prevention and awareness training. Some sections of this act become effective on July 1, 2016, then expire by limitation on June 30, 2026. Other sections become effective on July 1, 2026.	Benitez-Thompson, Thompson; Elliot Anderson, Araujo, etc. NRS 630
AB106	This bill relates to public works; revising provisions relating to contracts between a public body and a design professional; and providing other matters properly relating thereto.	Information only. This act becomes effective upon passage and approval.	Committee on Government Affairs NRS 338
AB152	Section 3 of this bill requires the State Board of Health to adopt regulations that: (1) require a child care facility to provide an appropriate, private space where mothers may breastfeed; (2) require certain child care facilities to provide a program of physical activity; and (3) prohibit a child care facility from withholding or requiring physical activity as a form of discipline.	Information only except for boards in districts that operate a licensed child care facility. This act becomes effective upon passage and approval for the purpose of creating regulations and January 1, 2016, for all other purposes.	Araujo, Diaz, Thompson; Benitez-Thompson, Carrillo, Flores, etc. NRS 432A
AB157	This bill relates to service animals; making certain provisions relating to service animals and service animals in training applicable only when the animal is a dog or a miniature horse; revising provisions governing the use of a service animal by a person with a disability; allowing an employer to determine whether it is reasonable to allow an employee to keep a service animal that is a miniature horse at the place of employment; allowing a place of public accommodation or common carrier to determine whether it is reasonable to admit a service animal or service animal in training that is a miniature horse; and providing other matters properly relating thereto.	Information only. This act becomes effective on October 1, 2015.	Oscarson, Ellison, Armstrong, Titus, and Wheeler NRS 426
AB165	Under existing law, financial institutions and other employers are required to pay an excise tax (the modified business tax) on wages paid by them. (NRS 363A.130, 363B.110) With respect to that tax, section 4 of this bill establishes a tax credit equal to an amount approved by the Department of Taxation, which must not exceed the amount of any donation of money made by a taxpayer to a scholarship organization. To claim the tax credit, section 4 requires a scholarship organization to apply to the Department for approval of the credit for a taxpayer who intends to make a donation to the scholarship organization. If the Department approves the application, the scholarship organization must provide notice to the prospective donor, who must make the donation within 30 days after receiving the notice. If the donor does not make the donation within the requisite period, the donor forfeits eligibility for the credit. The Department: (1) must approve or deny	Information only. This act becomes effective upon passage and approval.	Assembly Committee on Education NRS 385

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	applications for the tax credit in the order in which the applications are received by the Department; and (2) is authorized to approve applications for each fiscal year until the amount of the tax credits approved for the fiscal year is the amount authorized by statute for that fiscal year. For Fiscal Year 2015-2016, the amount authorized is \$5 million. The amount authorized for each succeeding fiscal year is 110 percent of the amount authorized for the immediately preceding fiscal year.		
AB179	Existing law defines the types of information that constitute "personal information" for the purpose of requiring business entities who collect such information to provide certain security measures to ensure the protection of the information. (Chapter 603A of NRS) This bill expands the definition of "personal information" to include such items of information as electronic mail addresses and passwords, driver's authorization card numbers, medical and health insurance identification numbers and other similar information.	Information only, although internal school district technology changes may be needed. This act becomes effective July 1, 2015.	Flores, Carrillo, Diaz, Elliot Anderson; Araujo, Carlton, etc. NRS 603A
AB234	Section 1.5 of this bill requires: (1) the standards of content and performance for social studies to include multicultural education; and (2) the Council to consult with members of the community who represent the racial and ethnic diversity of this State in developing such standards. Section 2 of this bill requires a licensed teacher who is initially licensed on or after July 1, 2015, to submit with his or her first application for renewal of his or her license proof of the completion of a course in multicultural education. If the teacher is initially issued a nonrenewable license, he or she must submit such proof with his or her first application for a renewable license. Section 2 also requires the Commission on Professional Standards in Education to prescribe the contents and credits required for such a course in multicultural education.	Information only, although each board may wish to make teachers aware of the new requirement for completion of a course in multicultural education before renewal of his/her license. This act becomes effective July 1, 2015.	Munford, Hickey, Diaz, Thompson, Flores; Elliot Anderson, Araujo, Benitez-Thompson, Bustamante Adams, Joiner, etc. NRS 389
AB307	Section 2 of this bill requires the Division of Health Care Financing and Policy of the Department of Health and Human Services and the Aging and Disability Services Division of the Department, to the extent that money is available for that purpose, to establish a pilot program to provide intensive care coordination services to children with intellectual disabilities and children with related conditions who have also been diagnosed as having behavioral health needs and reside in a county whose population is 100,000 or more (currently Clark and Washoe Counties). Section 3 of this bill requires the board of county commissioners of each county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) to submit a report on or before April 30, 2016, and every 6 months until July 1, 2019, to the Legislature, if the Legislature is in session, or to the Legislative Committee on Health Care, if the Legislature is not in session, describing the manner in which the board makes provisions for the required support, education and care of the children with intellectual disabilities and children with related conditions who reside in the county.	Information only. This act becomes effective on July 1, 2015, and expires by limitation on July 1, 2019.	Spiegel, Ohrenschall; Benitez-Thompson, Bustamante Adams, Carlton, Diaz, Joiner, Oscarson and Swank
AB421	This bill creates the Spending and Government Efficiency Commission for the system of K-12 public education. The Commission is required to make periodic recommendations to the Governor identifying: (1) areas in which the public costs of public education may be reduced; (2) areas in which increased efficiencies in public education may be found; and (3) any means by which public education may be improved.	Information only. Members serve at the pleasure of the Governor. This act becomes effective on July 1, 2015, and expires by limitation on June 30, 2017.	Assembly Committee on Education
SB47	Existing law authorizes the governing body of any county, city or unincorporated town to create an improvement district for the acquisition, operation and	Information only.	Senate Committee

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	maintenance of certain projects, including a park project, street project or commercial area vitalization project, and to finance the cost of any project through the issuance of bonds and the levy of assessments upon property in the improvement district. (NRS 271.265, 271.270, 271.325) Sections 1 and 5 of this bill authorize the creation of an improvement district for the acquisition, operation and maintenance of a waterfront project.	This act becomes effective on July 1, 2015.	on Government Affairs NRS 271
SB58	Section 1 of this bill specifies that juvenile justice information is confidential and may only be released under certain circumstances. Section 1 also revises: (1) the information that may be released; (2) the list of persons to whom the information may be released; and (3) the circumstances under which the information may be released. Section 1 further eliminates the requirement that a request for such information be in writing and revises from 3 days to 5 business days the period in which a denial of a request for the release of the information must be made to the person who requested the information. Finally, section 1 makes it a gross misdemeanor for certain persons to disseminate or make public juvenile justice information. Existing law makes it a gross misdemeanor for certain persons to disseminate or make public information relating to child welfare services. (NRS 432B.290) Section 1.5 of this bill revises the list of persons who may disseminate or make public such information and the circumstances under which the information may be released.	Information only. This act becomes effective on July 1, 2015.	Senate Committee on Judiciary NRS 62H
SB146	Existing law requires an employer to pay an employee wages for each hour the employee works. (NRS 608.016) Existing federal regulations allow employees who work shifts of 24 hours or more to agree to not be paid for a sleeping period not to exceed 8 hours under certain circumstances. (29 C.F.R. § 785.22) This bill provides that an employee who is employed in a certain residential facility and who works for 24 hours or more may agree to not be paid for a sleeping period not to exceed 8 hours if adequate sleeping facilities are provided by the employer.	Information only. This act becomes effective on July 1, 2015.	Senators Parks and Spearman NRS 608
SB175	This bill revises provisions governing justifiable homicide; prohibiting a person convicted in this State or any other state of a misdemeanor crime of domestic violence from owning or having in his or her possession or under his or her custody or control any firearm; requiring the Department of Public Safety to make certain determinations before issuing a list of states for purposes of reciprocity; prohibiting a person against whom an extended order for protection against domestic violence is issued from subsequently purchasing or otherwise acquiring any firearm during the period the extended order is in effect; revising provisions governing civil liability in actions involving the use of force; expanding the rights and powers reserved for the Legislature relating to the regulation of firearms and ammunition; requiring the governing bodies of certain political subdivisions of this State to repeal certain ordinances and regulations; authorizing a person adversely affected by the enforcement of such an ordinance or regulation to seek declarative and injunctive relief and damages; providing that such a person is entitled to certain damages; deleting certain provisions relating to the registration of firearms capable of being concealed; revising the applicability of certain provisions pertaining to the regulation of firearms by local governments; providing a penalty; and providing other matters properly relating thereto.	Information only. This bill becomes effective upon passage and approval.	Roberson, Lipparelli, Hammond, Brower, Settelmeyer, Farley, Goicoechea, Gustavson, Hardy, Harris, and Kieckhefer NRS 200
SB297	This bill relates to redevelopment; revising provisions relating to the termination of certain redevelopment plans; and providing other matters properly relating thereto.	Information only for districts impacted by the redevelopment plans described in this bill.	Hardy, Spiegel, Stewart, and

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		This bill becomes effective on July 1, 2015.	Silberkraus NRS 279
SB310	This bill relates to local government financing; extending the termination date of certain tourism improvement districts; revising provisions governing the use of certain proceeds from the local school support tax to finance or reimburse a tourism improvement district; and providing other matters properly relating thereto.	Information only for districts impacted by the tourism improvement districts described in this bill. This bill becomes effective on July 1, 2015.	Kieckhefer NRS 271A
SB340	Existing law authorizes the Labor Commissioner to impose an administrative penalty against a person who violates certain provisions related to contracts for public works in this State. (NRS 338.015) A person against whom such an administrative penalty is imposed may not be awarded a contract for a public work for a period of 3 years, and upon a second or subsequent offense, for a period of 5 years. (NRS 338.017) In addition to the prohibition on being awarded a contract for public works, such a person is also subject to the suspension of his or her contractor's license by the State Contractors' Board for the length of the prohibition. (NRS 624.300) Under federal law, a contractor may be excluded for a period of time from receiving contracts from the Federal Government if the contractor is debarred. (48 C.F.R. §§ 9.400 et seq.) This bill provides that, if a contractor is excluded for a period of time from receiving contracts from the Federal Government as a result of being debarred, the contractor may not be awarded a contract for a public work in this State for the term of the debarment.	Information only. This bill becomes effective on July 1, 2015.	Smith, Ford, Spearman, Parks; Atkinson, Denis, Kihuen, Manendo and Woodhouse, etc.
SB442	Existing law establishes the Uniform Arbitration Act of 2000. (NRS 38.206-38.248) Under existing law, a person who is requested to serve as an arbitrator must disclose to all parties to the agreement to arbitrate and arbitral proceeding and to any other arbitrators any facts that a reasonable person would consider likely to affect the impartiality of the arbitrator in the proceeding. Existing law also authorizes a court, upon a timely objection by a party, to vacate an award made by an arbitrator who did not disclose such a fact. (NRS 38.227) Section 1 of this bill prohibits certain arbitrators from consolidating separate arbitral proceedings or other claims unless all parties expressly agree to such consolidation. Section 2 of this bill requires a court to remove certain arbitrators who did not disclose such a fact from the arbitral proceeding if an award has not yet been made.	Information only. This act becomes effective upon passage and approval.	Senate Committee on Judiciary NRS 38
SB513	This bill relates to programs for public personnel; revising provisions relating to the subsidy paid for benefits for certain state employees who return to work for the State after a break in service; establishing for the 2015-2017 biennium the subsidies to be paid to the Public Employees' Benefits Program for insurance for certain active and retired public officers and employees; and providing other matters properly relating thereto.	Information only. This act becomes effective on July 1, 2015.	Senate Committee on Finance NRS 287

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