

## Review of 2009 Education-Related Legislation

As it appears in the BTSR 2009 edition

**Dear Parents, Guardians, and CCSD Employees:**

The 2009 Nevada State Legislature enacted a number of measures related to education and district operations that may be of interest to you. A very brief summary of these measures is provided here to make you aware of these changes in statute, followed by the dates they take effect (in parentheses). If an implementation plan is required of the district, it is stated in italics after the effective date.

If you would like to know more about any of the bills, you may view the full text of each bill on the Internet at [www.leg.state.nv.us](http://www.leg.state.nv.us). Select "Session Information," select "2009 Session," select "Bill Information," then select either Assembly bills or Senate bills, and then select the specific bill number. Be certain to view the bill "As Enrolled" to ensure that you are viewing the language signed into law.

Other Web addresses you may find useful in the event you have questions include Web sites of the Carson City School District ([www.carsoncityschools.com](http://www.carsoncityschools.com)) and the Nevada Department of Education ([www.doe.nv.gov/](http://www.doe.nv.gov/)). You may also contact the Superintendent's Office at 283-2100 if you have questions or comments. Staying informed helps all of us work together more effectively for the sake of our students.

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

**AB 13** – This bill authorizes a school district to request a waiver from all or a portion of the minimum textbook expenditure requirements when the district experiences an economic hardship. The waiver request must be reviewed by the Department of Education and the State Board of Examiners. The Interim Finance Committee makes the final determination whether or not to grant the waiver. (7/1/09)

**AB 14** – This bill requires the Nevada Department of Education to adopt a model to measure and report the achievement of pupils so that the progress of pupils enrolled in a public school may be tracked from year to year to determine whether the public school has made progress. The bill also reduces the number of times a pupil must have failed the high school proficiency exam from three times to two times to be eligible to proceed under the alternative set of requirements. (7/1/09)

**AB 26** – This bill extends the deadline by which a charter school must submit an application for renewal of the written charter from 90 to 120 days before expiration and the bill also makes various changes to the terms of the charter school performance audit. (7/1/09)

**AB 56** – The bill makes changes to the annual report school districts and private schools prepare for each school under their jurisdiction on the use of physical and mechanical restraint on pupils with disabilities. The bill requires that if there are three reports of restraint in one school year on a pupil, the school district/private school must review the circumstances of the use of the restraint and report on its findings. Five reports of restraint in one school year on a pupil, requires a review of the student's Individual Education Plan (IEP) and requires that a plan must be developed that addresses additional methods that are appropriate for the pupil to ensure the use of restraints does not continue. (7/1/09)

**AB 100** – This bill makes various changes to regulations governing charter schools and university schools for profoundly gifted pupils regarding closure, annual performance audits, and payments. It also amends existing law to allow a charter school pupil to participate in a class, extracurricular activity and/or sports in the school district in which the pupil resides rather than the school district in which the charter school is located. (7/1/09)

**AB 154** – The bill requires the board of trustees of each school district to establish a policy that prohibits the activities of criminal gangs on school property. (7/1/09) The district will adopt provisions related to criminal gangs.

**AB 191** – Under existing law, physical examinations of children are required in certain grades in school to determine if a child has certain health concerns and to conduct examinations of the height and weight of a sample of pupils in certain grades. The bill extends the height and weight examination requirement through June 30, 2015 which was previously scheduled to expire June 30, 2010. (7/1/09)

**AB 243** – The bill requires an employer who has 50 or more employees to grant to a parent, guardian or custodian of a child enrolled in a public school 4 hours of leave from his/her place of employment, which may be taken in increments of one hour, per school year, per child, to attend school-related activities or events or to volunteer at the school in which the child is enrolled. It requires that the leave be taken by the parent, guardian or custodian of a child at a mutually agreed upon time. The employer is not required to pay the employee for the leave taken. (8/15/09) The district will provide leave as prescribed for school district employees to attend school-related activities.

**AB 348** – The bill requires the board of trustees of each school district to prepare a notice of information identifying all the advanced placement courses, honors courses, international baccalaureate courses, special education services, gifted and talented programs, charter school programs and any other educational programs available to pupils enrolled in the school district. (7/1/09) The district will prepare a notice identifying the listed courses.

**AB 359** – The bill creates a new Grant Fund for the Training and Education of Personnel Who Work with Pupils with Autism to provide grants of money to school districts and charter schools for programs of training of certain personnel in obtaining an appropriate endorsement to work with pupils with autism. It allows the Nevada Department of Education to accept gifts, grants and donations from any source for deposit in the grant

fund. It requires the board of trustees of each school district and the governing body of each charter school, (to the extent money is available from the grant fund) to ensure that the licensed educational personnel employed by the school district or charter school who work with pupils with autism receive the appropriate preparation and training necessary to serve those pupils. (7/1/09) The district will apply for funding should it become available.

**AB 393** – The bill amends existing charter school pupil enrollment requirements to allow, before enrolling other eligible children, the enrollment of a child who was enrolled in a prekindergarten or other early childhood educational program (on the basis of a lottery system) at the charter school. The bill also allows the enrollment of a child whose parent is employed full-time by the charter school. (7/1/09)

**AB 425** – The bill authorizes the Superintendent of Public Instruction to issue a license to a teacher to teach elementary education, middle school, junior high school education or secondary education, (other than for the teaching of pupils with disabilities which is outside the teacher's grade level of experience) if the teacher meets the course work requirements and qualifications for the license. A licensed teacher who meets the requirement for the new license is exempt from the student teaching requirement of the additional license if the teacher has three years of verified teaching experience. (5/22/09)

**AB 428** – The bill allows a teacher licensure applicant with a bachelor's degree to be issued a special qualifications license. (Previously, only applicants who held a master's degree, a graduate degree or a doctoral degree were eligible to be issued a special qualifications license.) The applicant must submit proof of participation in a program of student teaching, mentoring or agree to participate in a program of mentoring or courses of teaching for the first two years of his/her employment as a teacher with a school district or charter school. (7/1/09)

**AB 429** – The bill expands the use of textbook money to include instructional software. (7/1/09)

**AB 463** – The bill requires each board or commission of this state, each school district and each institution of the Nevada System of Higher Education to submit to the Interim Finance Committee a report, (at least once every six months) concerning each consultant employed by the entity. (7/1/09) The district will report on the consultants employed.

**AB 487** – The bill requires the board of trustees of each school district to adopt a policy for small learning communities, peer mentoring, student-led conferences and academic plans at the middle school level. (7/1/09) The board will adopt new policy as required.

**AB 488** – The bill extends the ability to hire retired public employees to fill positions for which there are critical labor shortages through June 30, 2015, and increases the requirements of designating a position as a critical shortage. (5/29/09)

**AB 560** – The bill reduces the number of regional professional development programs from four to three and reorganizes the composition of the three remaining to include the school districts formerly served by the Western Nevada Regional Professional Development Program. (7/1/09)

**Assembly Concurrent Resolution 2**

This resolution directs the Legislative Commission to conduct an interim study concerning the governance and oversight of the K-12 public education system in this state. The Legislative Commission will appoint a committee composed of three members of the Senate and three members of the Assembly, one of whom must be appointed as chairman of the committee, to conduct the interim study of the K-12 public education system in this state, including the current governance and oversight structure of the system. It requires the Legislative Commission to submit a report of the results of the study and any recommendations for legislation to the 76th Session of the Nevada Legislature.

**SB 12** – The bill modifies the requirements for an applicant seeking funds from the Account for Programs for Innovation and the Prevention of Remediation to include a statement indicating whether the application is for an existing program or for the establishment of a new program, and identifying all other sources of money requested or received by the applicant for the same or a similar program. It prohibits the Commission on Educational Excellence from awarding money for a program of remedial study that is available commercially if such a program has not been adopted by the department. (7/1/09)

**SB 77** – The bill allows the board of trustees of each school district to establish a policy for a program of teen mentoring in public high schools that is designed to increase pupil participation in school activities, community activities and all levels of government, and to increase the ability of ninth grade pupils to make a successful transition from middle school to high school. The bill specifies that if a school district chooses to establish a policy for a program of teen mentoring that the policy must include certain guidelines and criteria identified within the bill. The bill also specifies that the provisions of this bill do not prevent a public high school from continuing to provide any similar program of teen mentoring that existed on the effective date of this bill. (5/22/09)

**SB 163** – The bill revises provisions governing safe and respectful learning environments in public schools to prohibit bullying and cyber-bullying. The bill provides definition for “bullying” and “cyber-bullying.” The standards of content and performance for courses in computer education and technology established by the Council to Establish Academic Standards for Public Schools are required to include a policy for: the ethical, safe and secure use of computers and other electronic devices. The council must establish the policy on or before January 1, 2010 and consider policies currently in use by school districts in Nevada. Additionally, the board of trustees of each school district (on or before July 1, 2010) is required to adopt the policy established by the Council to Establish Academic Standards for the ethical, safe and secure use of computers and other electronic devices for inclusion in its policy on the provision of a

safe and respectful learning environment. (7/1/09) The board will amend current policy as required.

**SB 185** – The bill requires school districts, (on or before July 1, 2010) to ensure that only environmentally sensitive cleaning and maintenance products for use in the cleaning of all floor surfaces are used in the public schools in accordance with the regulations adopted by the Nevada Department of Education. The bill provides that a school district may submit a written request to the department for a waiver from these requirements if the board of trustees determines that the costs associated with the purchase or use of these products are unreasonable and would place an undue burden on the efficient operation of the school district or a particular school within the district. (7/1/09)

**SB 303** – The bill authorizes the enactment of the Interstate Compact on Educational Opportunity for Military Children in Nevada which addresses issues relating to the education of certain children of military families in states that are members of the Interstate Compact. The bill amends existing provisions of current state law relating to the placement, testing, graduation, enrollment and immunization of pupils to ensure that such provisions are consistent with the provisions of the Interstate Compact. (7/1/09)

**SB 317** – The bill requires the board of trustees of each school district and the governing body of each charter school that operates as a high school to ensure that instruction on financial literacy is provided to pupils enrolled in each public high school within the school district or in the charter school, as applicable. Instruction must include financial responsibility, financial management, understanding the use of credit and the incurrence of debt, and the basic principles of saving and investing. These requirements may be included within a course or program of instruction that pupils enrolled in high school are otherwise required to complete for graduation. (7/1/09)

**SB 389** – Existing law requires each public school to be designated annually as demonstrating exemplary achievement, high achievement, adequate achievement or need for improvement. The bill eliminates the previous requirement for the Nevada Department of Education to establish a support team for a school designated as demonstrating need for improvement for three or more consecutive years while requiring the board of trustees to conduct a comprehensive audit for such schools. For schools that have demonstrated need for improvement for four consecutive years, non-Title I schools must develop a turnaround plan and Title I schools must develop a restructuring plan. Non-Title I schools that demonstrate need for improvement 5 or more consecutive years are required to develop a restructuring plan. The bill describes the required content of these plans. The bill requires the State Board of Education to adopt regulations, on or before January 1, 2010, that prescribe the actions which the Nevada Department of Education may take to monitor the implementation of any corrective action required of a school within a school district or a charter school and regulations that prescribe the requirements for a turnaround plan of a school within a school district or a charter school. (7/1/09)

**SB 391** – The bill amends the Charter School application requirements to form a charter school to include in its application a statement of whether the charter school will enroll pupils who are in a particular category of at-risk pupils before enrolling other eligible children and the method for determining eligibility for enrollment in each such category. The bill authorizes a charter school which is dedicated to providing services to pupils who are at risk to enroll a child, before enrolling another eligible child, who is in a particular category of at-risk pupils if the child meets the eligibility for enrollment prescribed by the charter school for that particular category. (7/1/09)

**SB 416** – The bill suspends temporarily the administration of, and reporting of, test scores of pupils on state required norm-referenced examinations required to be administered to pupils in grades four, seven and 10, for the 2009-2010 school year and the 2010-2011 school year. (7/1/09; expires by limitation on 6/30/11)

#### **Senate Concurrent Resolution 7**

The 75th Session of the Nevada Legislature urges the public schools and school districts in this state to evaluate and implement programs that improve academic performance and maximize learning opportunities of pupils.

#### **Senate Concurrent Resolution 12**

The 75th Session of the Nevada Legislature urges the school districts promote physical fitness in the schools to reduce obesity and to encourage healthy lifestyle choices by expanding high-quality programs of physical education during each school day and urges the Nevada Department of Education, to the extent money is available, to employ or consult with a physical education coordinator.

#### **Senate Concurrent Resolution 22**

This resolution encourages the Nevada Department of Education and the school districts in this state to work in collaboration with the Nevada System of Higher Education to increase participation in adult education programs, to increase the number of adults who obtain adult high school diplomas and to enroll those adults in a college to continue their education.

#### **Senate Concurrent Resolution 27**

The 75th Session of the Nevada Legislature expressed their sincere gratitude to all educational personnel in prekindergarten through postsecondary levels in Nevada and recognize the need to raise public awareness of their unquantifiable contributions and to promote greater respect for and understanding of their roles in education. The resolution encouraged the schools, communities and residents of Nevada to appropriately recognize that educational personnel are vital to the very fabric of our society, even if with just a simple “thank you,” and to continue to support those who educate our children, peers and neighbors.