AN ACT relating to education; prescribing the criteria for receipt of a standard high school diploma for a pupil with a disability; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Education to adopt regulations that prescribe the criteria for a pupil to receive a standard high school diploma, which must provide that each pupil: (1) take the college and career readiness assessment; (2) enroll in the courses of study designed to prepare the pupil for graduation from high school and readiness for college and career; and (3) pass at least four end-of-course examinations. (NRS 390.600) Section 6 of this bill provides that a pupil with a disability who does not satisfy the requirements prescribed by the State Board may receive a standard high school diploma if he or she instead: (1) demonstrates proficiency in the standards of content and performance established by the Council to Establish Academic Standards for Public Schools; and (2) satisfies the requirements set forth in his or her individualized education program. Sections 1-5 of this bill make conforming changes.
THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 385A.290 is hereby amended to read as
follows:

385A.290 The annual report of accountability prepared
pursuant to NRS 385A.070 must include, for each school in the
district and the district as a whole, including, without limitation,
each charter school sponsored by the district, information on pupils
enrolled in career and technical education, including, without
limitation:
1. The number of pupils enrolled in a course of career and
technical education;
2. The number of pupils who completed a course of career and
technical education;
3. The average daily attendance of pupils who are enrolled in a
program of career and technical education;
4. The annual rate of pupils who dropped out of school and
were enrolled in a program of career and technical education before
dropping out;
5. The number and percentage of pupils who completed a
program of career and technical education and who received a
standard high school diploma or an adjusted diploma; and
6. The number and percentage of pupils who completed a
program of career and technical education and who did not receive a
high school diploma because the pupils failed to satisfy the
requirements of subsection 3 of NRS 390.600 or the criteria
prescribed by the State Board pursuant to subsection 1 of
NRS 390.600.

Sec. 2. NRS 385A.500 is hereby amended to read as follows:

385A.500 The annual report of accountability prepared by the
State Board pursuant to NRS 385A.400 must include for each
school district, including, without limitation, each charter school in
the district and for this State as a whole, information on pupils
enrolled in career and technical education, including, without
limitation:
1. The number of pupils enrolled in a course of career and
technical education;
2. The number of pupils who completed a course of career and
technical education;
3. The average daily attendance of pupils who are enrolled in a
program of career and technical education;
4. The annual rate of pupils who dropped out of school and
were enrolled in a program of career and technical education before
dropping out;
5. The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma or an adjusted diploma; and
6. The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to satisfy the
requirements of subsection 3 of NRS 390.600 or the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600.

Sec. 3. NRS 388A.405 is hereby amended to read as follows:
388A.405 1. To the extent money is available from legislative appropriation or otherwise, a charter school may apply to the Department for money for facilities if:
(a) The charter school has been operating in this State for at least 5 consecutive years and is in good financial standing;
(b) Each financial audit and each performance audit of the charter school required by the Department pursuant to NRS 388A.105 or 388A.110 contains no major notations, corrections or errors concerning the charter school for at least 5 consecutive years;
(c) The charter school has met or exceeded the annual measurable objectives and performance targets established pursuant to the statewide system of accountability for public schools or has demonstrated improvement in the achievement of pupils enrolled in the charter school, as indicated by those annual measurable objectives and performance targets, for the majority of the years of its operation; and
(d) At least 75 percent of the pupils enrolled in grade 12 in the charter school in the immediately preceding school year have satisfied the requirements of subsection 3 of NRS 390.600 or the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600, if the charter school enrolls pupils at a high school grade level.

2. A charter school that satisfies the requirements of subsection 1 shall submit to a performance audit as required by the Department one time every 3 years. The sponsor of the charter school and the Department shall not request a performance audit of the charter school more frequently than every 3 years without reasonable evidence of noncompliance in achieving the educational goals and objectives of the charter school based upon the annual report submitted to the Department pursuant to NRS 388A.351. If the charter school no longer satisfies the requirements of subsection 1 or if reasonable evidence of noncompliance in achieving the educational goals and objectives of the charter school exists based upon the annual report, the charter school shall, upon written notice from the sponsor, submit to an annual performance audit.
Notwithstanding the provisions of paragraph (b) of subsection 1, such a charter school:

(a) May, after undergoing the annual performance audit, reapply to the sponsor to determine whether the charter school satisfies the requirements of paragraphs (a), (c) and (d) of subsection 1.

(b) Is not eligible for any available money pursuant to subsection 1 until the sponsor determines that the charter school satisfies the requirements of that subsection.

3. A charter school that does not satisfy the requirements of subsection 1 shall submit a quarterly report of the financial status of the charter school if requested by the sponsor of the charter school.

Sec. 4. NRS 388B.270 is hereby amended to read as follows:

388B.270 1. To the extent money is available from legislative appropriation or otherwise, an achievement charter school may apply to the Department for money for facilities if:

(a) The achievement charter school has been operating in this State for at least 5 consecutive years and is in good financial standing;

(b) The Executive Director has determined that the finances of the achievement charter school are being managed in a prudent manner;

(c) The achievement charter school has met or exceeded the annual measurable objectives and performance targets established pursuant to the statewide system of accountability for public schools or has demonstrated improvement in the achievement of pupils enrolled in the achievement charter school, as indicated by those annual measurable objectives and performance targets, for the majority of the years of its operation;

(d) At least 75 percent of the pupils enrolled in grade 12 in the achievement charter school in the immediately preceding school year have satisfied the requirements of subsection 3 of NRS 390.600 or the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600, if the achievement charter school enrolls pupils at a high school grade level; and

(e) The achievement charter school meets the requirements prescribed by regulation of the Department.

2. An achievement charter school that does not satisfy the requirements of subsection 1 shall submit a quarterly report of the financial status of the achievement charter school if requested by the Executive Director.

Sec. 5. NRS 388C.120 is hereby amended to read as follows:

388C.120 1. A university school for profoundly gifted pupils shall determine the eligibility of a pupil for admission to the school based upon a comprehensive assessment of the pupil’s potential for academic and intellectual achievement at the school, including,
without limitation, intellectual and academic ability, motivation, emotional maturity and readiness for the environment of an accelerated educational program. The assessment must be conducted by a broad-based committee of professionals in the field of education.

2. A person who wishes to apply for admission to a university school for profoundly gifted pupils must:
   (a) Submit to the governing body of the school:
      (1) A completed application;
      (2) Evidence that the applicant possesses advanced intellectual and academic ability, including, without limitation, proof that he or she satisfies the requirements of NRS 388C.030;
      (3) At least three letters of recommendation from teachers or mentors familiar with the academic and intellectual ability of the applicant;
      (4) A transcript from each school previously attended by the applicant; and
      (5) Such other information as may be requested by the university school or governing body of the school.
   (b) If requested by the governing body of the school, participate in an on-campus interview.

3. The curriculum developed for pupils in a university school for profoundly gifted pupils must provide exposure to the subject areas required of pupils enrolled in other public schools.

4. The Superintendent of Public Instruction shall, upon recommendation of the governing body, issue a high school diploma to a pupil who is enrolled in a university school for profoundly gifted pupils if that pupil satisfies:
   (a) Satisfies the requirements of subsection 3 of NRS 390.600; or
   (b) Satisfies the criteria prescribed by the State Board pursuant to NRS 390.600, successfully passes the courses in American government and American history as required by NRS 389.054 and 389.057, and successfully completes any requirements established by the State Board of Education for graduation from high school.

5. On or before March 1 of each odd-numbered year, the governing body of a university school for profoundly gifted pupils shall prepare and submit to the Superintendent of Public Instruction, the president of the university where the university school for profoundly gifted pupils is located, the State Board and the Director of the Legislative Counsel Bureau a report that contains information regarding the school, including, without limitation, the process used by the school to identify and recruit profoundly gifted pupils from diverse backgrounds and with diverse talents, and data assessing the success of the school in meeting the educational needs of its pupils.
Sec. 6. NRS 390.600 is hereby amended to read as follows:

390.600 1. A pupil with a disability who does not satisfy the requirements for receipt of a standard high school diploma may receive a diploma designated as an adjusted diploma if the pupil satisfies the requirements set forth in his or her individualized education program. As used in this subsection, “individualized education program” has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

2. The State Board shall adopt regulations that:

(a) Except as otherwise provided in subsection 3, prescribe the criteria for a pupil to receive a standard high school diploma, which must include, without limitation, the requirement that:

(1) Commencing with the 2014-2015 school year and each school year thereafter, a pupil enrolled in grade 11 take the college and career readiness assessment administered pursuant to NRS 390.610;

(2) Commencing with the 2014-2015 school year and each school year thereafter, a pupil enroll in the courses of study designed to prepare the pupil for graduation from high school and for readiness for college and career; and

(3) Commencing with the 2014-2015 school year and each school year thereafter, a pupil pass at least four end-of-course examinations prescribed pursuant to paragraph (b).

(b) Prescribe the courses of study in which pupils must pass the end-of-course examinations required by subparagraph (3) of paragraph (a), which must include, without limitation, the subject areas for which the State Board has adopted the common core standards and which may include any other courses of study prescribed by the State Board.

(c) Prescribe the maximum number of times, if any, that a pupil is allowed to take the end-of-course examinations if the pupil fails to pass the examinations after the first administration.

3. A pupil with a disability who does not satisfy the requirements to receive a standard high school diploma prescribed by the State Board pursuant to subsection 1 may receive a standard high school diploma if:

(a) His or her individualized education program team determines that the pupil demonstrates proficiency in the
standards of content and performance established by the Council
to Establish Academic Standards for Public Schools pursuant to
NRS 389.520; and
(b) The pupil satisfies the requirements set forth in his or her
individualized education program.
4. A pupil with a disability who does not satisfy the
requirements for receipt of a standard high school diploma
prescribed in subsection 3 or by the State Board pursuant to
subsection 1 may receive a diploma designated as an adjusted
diploma if the pupil satisfies the requirements set forth in his or
her individualized education program.
5. If a pupil does not satisfy the requirements
prescribed by the State Board] to receive a standard high school diploma
prescribed by subsection 3 or by the State Board pursuant to
subsection 1, the pupil must not be issued a certificate of attendance
or any other document indicating that the pupil attended high school
but did not satisfy the requirements for such a diploma. The
provisions of this subsection do not apply to a pupil who receives an
6. As used in this section:
(a) “Individualized education program” has the meaning
(b) “Individualized education program team” has the meaning
Sec. 7. This act becomes effective on July 1, 2017.