
ASSEMBLY BILL NO. 64—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Education

SUMMARY—Revises requirements for receipt of a standard high school diploma for pupils with disabilities. (BDR 34-251)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; 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:

1 Existing law requires the State Board of Education to adopt regulations that
2 prescribe the criteria for a pupil to receive a standard high school diploma, which
3 must provide that each pupil: (1) take the college and career readiness assessment;
4 (2) enroll in the courses of study designed to prepare the pupil for graduation from
5 high school and readiness for college and career; and (3) pass at least four end-of-
6 course examinations. (NRS 390.600) **Section 6** of this bill provides that a pupil
7 with a disability who does not satisfy the requirements prescribed by the State
8 Board may receive a standard high school diploma if he or she instead: (1)
9 demonstrates proficiency in the standards of content and performance established
10 by the Council to Establish Academic Standards for Public Schools; and (2)
11 satisfies the requirements set forth in his or her individualized education program.
12 **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:

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

3 385A.290 The annual report of accountability prepared
4 pursuant to NRS 385A.070 must include, for each school in the
5 district and the district as a whole, including, without limitation,
6 each charter school sponsored by the district, information on pupils
7 enrolled in career and technical education, including, without
8 limitation:

9 1. The number of pupils enrolled in a course of career and
10 technical education;

11 2. The number of pupils who completed a course of career and
12 technical education;

13 3. The average daily attendance of pupils who are enrolled in a
14 program of career and technical education;

15 4. The annual rate of pupils who dropped out of school and
16 were enrolled in a program of career and technical education before
17 dropping out;

18 5. The number and percentage of pupils who completed a
19 program of career and technical education and who received a
20 standard high school diploma or an adjusted diploma; and

21 6. The number and percentage of pupils who completed a
22 program of career and technical education and who did not receive a
23 high school diploma because the pupils failed to satisfy the
24 *requirements of subsection 3 of NRS 390.600 or the* criteria
25 prescribed by the State Board pursuant to *subsection 1 of*
26 *NRS 390.600.*

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

28 385A.500 The annual report of accountability prepared by the
29 State Board pursuant to NRS 385A.400 must include for each
30 school district, including, without limitation, each charter school in
31 the district and for this State as a whole, information on pupils
32 enrolled in career and technical education, including, without
33 limitation:

34 1. The number of pupils enrolled in a course of career and
35 technical education;

36 2. The number of pupils who completed a course of career and
37 technical education;

38 3. The average daily attendance of pupils who are enrolled in a
39 program of career and technical education;

40 4. The annual rate of pupils who dropped out of school and
41 were enrolled in a program of career and technical education before
42 dropping out;



1 5. The number and percentage of pupils who completed a
2 program of career and technical education and who received a
3 standard high school diploma or an adjusted diploma; and

4 6. The number and percentage of pupils who completed a
5 program of career and technical education and who did not receive a
6 high school diploma because the pupils failed to satisfy the
7 *requirements of subsection 3 of NRS 390.600 or the* criteria
8 prescribed by the State Board pursuant to *subsection 1 of*
9 *NRS 390.600.*

10 **Sec. 3.** NRS 388A.405 is hereby amended to read as follows:

11 388A.405 1. To the extent money is available from
12 legislative appropriation or otherwise, a charter school may apply to
13 the Department for money for facilities if:

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

16 (b) Each financial audit and each performance audit of the
17 charter school required by the Department pursuant to NRS
18 388A.105 or 388A.110 contains no major notations, corrections or
19 errors concerning the charter school for at least 5 consecutive years;

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

27 (d) At least 75 percent of the pupils enrolled in grade 12 in the
28 charter school in the immediately preceding school year have
29 satisfied the *requirements of subsection 3 of NRS 390.600 or the*
30 *criteria prescribed by the State Board pursuant to subsection 1 of*
31 *NRS 390.600*, if the charter school enrolls pupils at a high school
32 grade level.

33 2. A charter school that satisfies the requirements of subsection
34 1 shall submit to a performance audit as required by the Department
35 one time every 3 years. The sponsor of the charter school and the
36 Department shall not request a performance audit of the charter
37 school more frequently than every 3 years without reasonable
38 evidence of noncompliance in achieving the educational goals and
39 objectives of the charter school based upon the annual report
40 submitted to the Department pursuant to NRS 388A.351. If the
41 charter school no longer satisfies the requirements of subsection 1 or
42 if reasonable evidence of noncompliance in achieving the
43 educational goals and objectives of the charter school exists based
44 upon the annual report, the charter school shall, upon written notice
45 from the sponsor, submit to an annual performance audit.



1 Notwithstanding the provisions of paragraph (b) of subsection 1,
2 such a charter school:

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

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

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

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

13 388B.270 1. To the extent money is available from
14 legislative appropriation or otherwise, an achievement charter
15 school may apply to the Department for money for facilities if:

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

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

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

29 (d) At least 75 percent of the pupils enrolled in grade 12 in the
30 achievement charter school in the immediately preceding school
31 year have satisfied the *requirements of subsection 3 of NRS*
32 *390.600 or the* criteria prescribed by the State Board pursuant to
33 *subsection 1 of* NRS 390.600, if the achievement charter school
34 enrolls pupils at a high school grade level; and

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

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

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

42 388C.120 1. A university school for profoundly gifted pupils
43 shall determine the eligibility of a pupil for admission to the school
44 based upon a comprehensive assessment of the pupil's potential for
45 academic and intellectual achievement at the school, including,



1 without limitation, intellectual and academic ability, motivation,
2 emotional maturity and readiness for the environment of an
3 accelerated educational program. The assessment must be conducted
4 by a broad-based committee of professionals in the field of
5 education.

6 2. A person who wishes to apply for admission to a university
7 school for profoundly gifted pupils must:

8 (a) Submit to the governing body of the school:

9 (1) A completed application;

10 (2) Evidence that the applicant possesses advanced
11 intellectual and academic ability, including, without limitation,
12 proof that he or she satisfies the requirements of NRS 388C.030;

13 (3) At least three letters of recommendation from teachers or
14 mentors familiar with the academic and intellectual ability of the
15 applicant;

16 (4) A transcript from each school previously attended by the
17 applicant; and

18 (5) Such other information as may be requested by the
19 university school or governing body of the school.

20 (b) If requested by the governing body of the school, participate
21 in an on-campus interview.

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

25 4. The Superintendent of Public Instruction shall, upon
26 recommendation of the governing body, issue a high school diploma
27 to a pupil who is enrolled in a university school for profoundly
28 gifted pupils if that pupil ~~satisfies~~ :

29 (a) *Satisfies the requirements of subsection 3 of NRS 390.600;*
30 *or*

31 (b) *Satisfies* the criteria prescribed by the State Board pursuant
32 to NRS 390.600 ~~and~~, *successfully passes* the courses in American
33 government and American history as required by NRS 389.054 and
34 389.057 ~~H~~ and successfully completes any requirements established
35 by the State Board of Education for graduation from high school.

36 5. On or before March 1 of each odd-numbered year, the
37 governing body of a university school for profoundly gifted pupils
38 shall prepare and submit to the Superintendent of Public Instruction,
39 the president of the university where the university school for
40 profoundly gifted pupils is located, the State Board and the Director
41 of the Legislative Counsel Bureau a report that contains information
42 regarding the school, including, without limitation, the process used
43 by the school to identify and recruit profoundly gifted pupils from
44 diverse backgrounds and with diverse talents, and data assessing the
45 success of the school in meeting the educational needs of its pupils.



1 **Sec. 6.** NRS 390.600 is hereby amended to read as follows:

2 390.600 1. ~~{A pupil with a disability who does not satisfy the~~
3 ~~requirements for receipt of a standard high school diploma may~~
4 ~~receive a diploma designated as an adjusted diploma if the pupil~~
5 ~~satisfies the requirements set forth in his or her individualized~~
6 ~~education program. As used in this subsection, "individualized~~
7 ~~education program" has the meaning ascribed to it in 20~~
8 ~~U.S.C. § 1414(d)(1)(A).~~

9 ~~2.~~ The State Board shall adopt regulations that :

10 ~~(a) Except as otherwise provided in subsection 3,~~ prescribe the
11 ~~;~~

12 ~~(a) Criteria~~ *criteria* for a pupil to receive a standard high school
13 diploma, which must include, without limitation, the requirement
14 that:

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

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

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

26 ~~{Courses}~~ *Prescribe the courses* of study in which pupils
27 must pass the end-of-course examinations required by subparagraph
28 (3) of paragraph (a), which must include, without limitation, the
29 subject areas for which the State Board has adopted the common
30 core standards and which may include any other courses of study
31 prescribed by the State Board.

32 ~~{The}~~ *Prescribe the* maximum number of times, if any, that a
33 pupil is allowed to take the end-of-course examinations if the pupil
34 fails to pass the examinations after the first administration.

35 ~~{3} 2.~~ The criteria prescribed by the State Board pursuant to
36 subsection ~~{2} 1~~ for a pupil to receive a standard high school
37 diploma must not include the results of the pupil on the college and
38 career readiness assessment administered to the pupil in grade 11
39 pursuant to NRS 390.610.

40 ~~{4} 3.~~ *A pupil with a disability who does not satisfy the*
41 *requirements to receive a standard high school diploma prescribed*
42 *by the State Board pursuant to subsection 1 may receive a*
43 *standard high school diploma if:*

44 ~~(a) His or her individualized education program team~~
45 *determines that the pupil demonstrates proficiency in the*



1 *standards of content and performance established by the Council*
2 *to Establish Academic Standards for Public Schools pursuant to*
3 *NRS 389.520; and*

4 *(b) The pupil satisfies the requirements set forth in his or her*
5 *individualized education program.*

6 4. *A pupil with a disability who does not satisfy the*
7 *requirements for receipt of a standard high school diploma*
8 *prescribed in subsection 3 or by the State Board pursuant to*
9 *subsection 1 may receive a diploma designated as an adjusted*
10 *diploma if the pupil satisfies the requirements set forth in his or*
11 *her individualized education program.*

12 5. If a pupil does not satisfy the requirements ~~prescribed by~~
13 ~~the State Board~~ to receive a standard high school diploma ~~+~~
14 *prescribed by subsection 3 or by the State Board pursuant to*
15 *subsection 1*, the pupil must not be issued a certificate of attendance
16 or any other document indicating that the pupil attended high school
17 but did not satisfy the requirements for such a diploma. The
18 provisions of this subsection do not apply to a pupil who receives an
19 adjusted diploma pursuant to subsection ~~+~~ 4.

20 6. *As used in this section:*

21 *(a) "Individualized education program" has the meaning*
22 *ascribed to it in 20 U.S.C. § 1414(d)(1)(A).*

23 *(b) "Individualized education program team" has the meaning*
24 *ascribed to it in 20 U.S.C. § 1414(d)(1)(B).*

25 **Sec. 7.** This act becomes effective on July 1, 2017.



