

ASSEMBLY BILL NO. 284—ASSEMBLYMEN WOODBURY,
OHRENSCHALL AND ARMSTRONG

MARCH 13, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to persons with disabilities. (BDR 34-811)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 persons with disabilities; requiring certain pupils with disabilities to take an adaptive behavior assessment; requiring the results of an adaptive behavior assessment to be incorporated in a summary of performance provided to a pupil by a school district; including persons who may benefit from certain services provided to persons with autism spectrum disorders as determined by an initial screening for autism spectrum disorders within the Autism Treatment Assistance Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law provides that a pupil with a disability may be exempt from the
- 2 requirement to take the college and career readiness assessment in accordance with
- 3 his or her individualized education program. (NRS 389.807) **Section 1** of this bill
- 4 requires: (1) a pupil who is exempt from that requirement to take an adaptive
- 5 behavior assessment; and (2) the results of the assessment to be incorporated in the
- 6 summary of performance provided to a pupil by a school district pursuant to federal
- 7 law. (20 U.S.C. § 1411 (c)(5)(B)(ii))
- 8 Existing law establishes the Autism Treatment Assistance Program within the
- 9 Aging and Disability Services Division of the Department of Health and Human
- 10 Services to provide and coordinate the provision of services to certain persons with
- 11 autism spectrum disorders. (NRS 427A.875) **Section 2** of this bill expands the
- 12 Program to include persons who may benefit from services provided to such
- 13 persons as determined by an initial screening for autism spectrum disorders.



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14 Existing law requires the Division to refer an infant or toddler who has autism
15 spectrum disorder and is eligible for early intervention services to the Autism
16 Treatment Assistance Program. (NRS 427A.880) **Section 3** of this bill additionally
17 requires the Division to refer an infant or toddler to the Program if it is determined
18 that the infant or toddler may benefit from such services as determined by an initial
19 screening for autism spectrum disorders and is eligible for early intervention
20 services.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 389.807 is hereby amended to read as follows:
2 389.807 1. The State Board shall select a college and career
3 readiness assessment for administration, commencing with the
4 2014-2015 school year and each school year thereafter, to pupils
5 who are enrolled in grade 11 in public high schools.
6 2. Except as otherwise provided in this subsection, a pupil must
7 take the college and career readiness assessment to receive a
8 standard high school diploma. The results of a pupil on the
9 assessment must not be used in the determination of whether the
10 pupil satisfies the requirements for receipt of a standard high school
11 diploma. A pupil with a disability may, in accordance with his or
12 her individualized education program, be exempt from the
13 requirement to take the college and career readiness assessment.
14 3. *A pupil who is exempt pursuant to subsection 2 from the*
15 *requirement to take the college and career readiness assessment*
16 *must take an adaptive behavior assessment approved by the*
17 *Department. The results of the assessment must be incorporated in*
18 *the summary of performance required to be provided to a pupil by*
19 *a school district pursuant to 20 U.S.C. §§ 1411 et seq.*
20 4. The assessment selected pursuant to subsection 1 must be:
21 (a) Administered at the same time during the school year by the
22 board of trustees of each school district to pupils enrolled in grade
23 11 in all public high schools of the school district and by the
24 governing body of each charter school that enrolls pupils in grade
25 11, as prescribed by the State Board, and in accordance with
26 uniform procedures adopted by the State Board. The Department
27 shall monitor the compliance of the school districts and individual
28 schools with the uniform procedures and report to the State Board
29 any instance of noncompliance.
30 (b) Administered in accordance with the plan adopted by the
31 Department pursuant to NRS 389.616 and with the plan adopted by
32 the board of trustees of the school district in which the assessment is
33 administered pursuant to NRS 389.620. The Department shall
34 monitor the compliance of the school districts and individual
35 schools with:



- 1 (1) The plan adopted by the Department; and
- 2 (2) The plan adopted by the board of trustees of the
- 3 applicable school district, to the extent that the plan adopted by the
- 4 board of trustees of the school district is consistent with the plan
- 5 adopted by the Department,
- 6 and shall report to the State Board any instance of
- 7 noncompliance.

8 ~~4.1~~ 5. The assessment selected pursuant to subsection 1 must:

9 (a) Be used to provide data and information to each pupil who

10 takes the assessment in a manner that allows the pupil to review the

11 areas of his or her academic strengths and weaknesses, including,

12 without limitation, areas where additional work in the subject areas

13 tested on the assessment is necessary to prepare for college and

14 career success without the need for remediation; and

15 (b) Allow teachers and other educational personnel to use the

16 results of a pupil on the assessment to provide appropriate

17 interventions for the pupil to prepare for college and career success.

18 ~~4.2~~ 6. The State Board may work in consultation with the

19 boards of trustees of school districts and, if a charter school enrolls

20 pupils at a high school grade level, the governing body of the charter

21 school to develop and implement appropriate plans of remediation

22 for pupils based upon the results of the pupils on the assessment.

23 **Sec. 2.** NRS 427A.875 is hereby amended to read as follows:

24 427A.875 1. There is hereby established the Autism

25 Treatment Assistance Program within the Division to serve as the

26 primary autism program within the Department and to provide and

27 coordinate the provision of services to persons with autism spectrum

28 disorders *and persons who may benefit from such services as*

29 *determined by an initial screening for autism spectrum disorders*

30 through the age of 19 years.

31 2. The Autism Treatment Assistance Program shall:

32 (a) Prescribe an application process for parents and guardians of

33 persons with autism spectrum disorders *and of persons who may*

34 *benefit from services provided to such persons as determined by an*

35 *initial screening for autism spectrum disorders* to participate in the

36 Program.

37 (b) Provide for the development of a plan of treatment for

38 persons who participate in the Program.

39 (c) Promote the use of evidence-based treatments which are cost

40 effective and have been proven to improve treatment of autism

41 spectrum disorders.

42 (d) Educate parents and guardians of persons with autism

43 spectrum disorders *and of persons who may benefit from services*

44 *provided to such persons as determined by an initial screening for*

45 *autism spectrum disorders* on autism spectrum disorders and the



1 assistance that may be provided by the parent or guardian to
2 improve treatment outcomes.

3 (e) Establish and use a system for assessing persons with autism
4 spectrum disorders *and persons who may benefit from services*
5 *provided to such persons as determined by an initial screening for*
6 *autism spectrum disorders* to determine a baseline to measure the
7 progress of and prepare a plan for the treatment of such persons.

8 (f) Assist parents and guardians of persons with autism spectrum
9 disorders *and persons who may benefit from services provided to*
10 *such persons as determined by an initial screening for autism*
11 *spectrum disorders* in obtaining public services that are available
12 for the treatment of autism spectrum disorders.

13 3. A plan of treatment developed for a person who participates
14 in the Program pursuant to paragraph (b) of subsection 2 must:

15 (a) Identify the specific behaviors of the person to be addressed
16 and the expected outcomes.

17 (b) Include, without limitation, preparations for transitioning the
18 person from one provider of treatment to another or from one public
19 program to another, as the needs of the person require through the
20 age of 19 years.

21 (c) Be revised to address any change in the needs of the person.

22 4. The policies of the Autism Treatment Assistance Program
23 and any services provided by the Program must be developed in
24 cooperation with and be approved by the Nevada Autism Task
25 Force created by section 40 of chapter 348, Statutes of Nevada
26 2007, or its successor organization.

27 5. As used in this section, "autism spectrum disorder" means a
28 neurobiological medical condition including, without limitation,
29 autistic disorder, Asperger's Disorder and Pervasive Developmental
30 Disorder Not Otherwise Specified.

31 **Sec. 3.** NRS 427A.880 is hereby amended to read as follows:

32 427A.880 For an infant or toddler with a disability who has
33 autism spectrum disorder *or who may benefit from early*
34 *intervention services as determined by an initial screening for*
35 *autism spectrum disorders* and is eligible for early intervention
36 services, the Division shall refer the infant or toddler to the Autism
37 Treatment Assistance Program established by NRS 427A.875 and
38 coordinate with the Program to develop a plan of treatment for the
39 infant or toddler pursuant to that section.

40 **Sec. 4.** The provisions of NRS 354.599 do not apply to any
41 additional expenses of a local government that are related to the
42 provisions of this act.

43 **Sec. 5.** This act becomes effective on July 1, 2015.

