

SENATE BILL NO. 353—SENATOR HAMMOND

MARCH 20, 2017

Referred to Committee on Education

SUMMARY—Authorizes school districts to develop alternative literacy achievement plans in lieu of complying with prescribed pupil-teacher ratios in certain circumstances and revises various provisions governing plans to reduce those ratios. (BDR 34-1109)

FISCAL NOTE: Effect on Local Government: No.
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; authorizing a school district to develop an alternative literacy achievement plan in lieu of complying with prescribed pupil-teacher ratios; prescribing the criteria for approving such a plan; requiring an independent evaluation of such a plan that is approved; requiring a school district which operates under such a plan to contract for an independent evaluation of the plan and to prepare a financial report concerning the plan; authorizing certain entities to study issues relating to any such plans that are approved; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes pupil-teacher ratios for classes where core curriculum
2 is taught in kindergarten and grades 1, 2 and 3. (NRS 388.700) However, existing
3 law allows certain school districts to seek approval for an alternative plan from the
4 State Board of Education which allows a greater number of pupils in each class.
5 (NRS 388.720) When a school district has one or more schools with elementary
6 schools which exceed the ratio of pupils per class during any calendar quarter, the
7 school district is required to request a variance for each such school for the next
8 calendar quarter of the current school year, which may be granted for good cause.
9 (NRS 388.700)
10 **Sections 2 and 6** of this bill allow a school district to apply for approval of an
11 alternative literacy achievement plan in lieu of meeting the pupil-teacher ratios
12 which may be carried out over 2 school years. If approved, the school district is not



13 required to apply for the quarterly variance. **Section 2** requires the school district to
14 conduct an assessment to determine any achievement gaps in the school district and
15 the interventions that will assist the lowest performing pupils in the district. **Section**
16 **2** provides the criteria to be used by the State Board of Education in determining
17 whether to approve such a plan. **Section 3** of this bill requires an independent
18 evaluation of the plan during the second year of its implementation. **Section 3** also
19 requires the school district to prepare a financial report concerning the plan and the
20 cost of the interventions included in the plan.

21 **Section 5** of this bill removes school districts which have an approved
22 alternative literacy achievement plan from certain reporting requirements when a
23 school exceeds the ratio of pupils per class. (NRS 388.700) Existing law requires
24 the State Board to determine the data to monitor to measure the effectiveness of an
25 alternative plan developed by a school district concerning the pupil-teacher ratios.
26 (NRS 388.710) **Section 6** of this bill makes that requirement also apply when a
27 school district has an alternative literacy achievement plan. **Section 8** of this bill
28 requires the Department of Education, in addition to providing guidance to school
29 districts on developing a plan to reduce the pupil-teacher ratio as required by
30 existing law, to provide guidance on developing an alternative literacy achievement
31 plan. (NRS 388.723)

32 Existing law requires school districts to report the average daily attendance of
33 pupils and pupil-teacher ratios for grades 1, 2 and 3 for each elementary school in
34 the district. In addition, the board of trustees is required to post on the Internet
35 website of the school district certain information including an identification of each
36 elementary school in the school district that has a variance from the pupil-teacher
37 ratios. (NRS 388.725) **Section 8** also requires an identification of each elementary
38 school in the school district, if any, that are part of an alternative literacy
39 achievement plan.

40 Existing law describes certain issues which the Legislative Committee on
41 Education is authorized to consider, including the program to reduce the ratio of
42 pupils per class. (NRS 218E.615) **Section 10** of this bill adds alternative literacy
43 achievement plans that are approved by the State Board to the issues for possible
44 consideration of the Committee. Existing law creates the Legislative Bureau of
45 Educational Accountability and Program Evaluation within the Fiscal Analysis
46 Division of the Legislative Counsel Bureau to collect and analyze certain data and
47 issue reports concerning certain issues relating to education, including concerning
48 the program to reduce the ratio of pupils per class. (NRS 218E.625) **Section 11** of
49 this bill adds alternative literacy achievement plans that are approved by the State
50 Board to the issues about which the Legislative Bureau of Educational
51 Accountability and Program Evaluation may collect data and issue reports.

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

1 **Section 1.** NRS 387.1234 is hereby amended to read as
2 follows:

3 387.1234 1. Except as otherwise provided in subsection 3
4 and NRS 388.700 **and except for a school district for which an**
5 **alternative literacy achievement plan has been approved pursuant**
6 **to NRS 388.720**, the State Board shall establish by regulation the
7 maximum pupil-teacher ratio in each grade, and for each subject



1 matter wherever different subjects are taught in separate classes, for
2 each school district of this State which is consistent with:

- 3 (a) The maintenance of an acceptable standard of instruction;
- 4 (b) The conditions prevailing in the school district with respect
5 to the number and distribution of pupils in each grade; and
- 6 (c) Methods of instruction used, which may include educational
7 television, team teaching or new teaching systems or techniques.

8 2. If the Superintendent of Public Instruction finds that any
9 school district is maintaining one or more classes whose pupil-
10 teacher ratio exceeds the applicable maximum, and unless the
11 Superintendent finds that the board of trustees of the school district
12 has made every reasonable effort in good faith to comply with the
13 applicable standard, the Superintendent shall, with the approval of
14 the State Board, reduce the count of pupils for apportionment
15 purposes by the percentage which the number of pupils attending
16 those classes is of the total number of pupils in the district, and the
17 State Board may direct the Superintendent to withhold the quarterly
18 apportionment entirely.

19 3. The provisions of this section do not apply to a charter
20 school, a university school for profoundly gifted pupils or a program
21 of distance education provided pursuant to NRS 388.820 to 388.874,
22 inclusive.

23 **Sec. 2.** Chapter 388 of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 3 and 4 of this act.

25 **Sec. 3.** *1. A school district may apply to the State Board for
26 approval of an alternative literacy achievement plan pursuant to
27 subsection 2 of NRS 388.720 to be carried out over 2 school years.
28 Before submitting an application, the school district must conduct
29 an assessment to determine any achievement gaps in the school
30 district and the interventions that will assist the lowest performing
31 pupils in the school district to improve their academic
32 performance.*

33 *2. The State Board may approve an application for an
34 alternative literacy achievement plan submitted pursuant to
35 subsection 1 if the plan:*

36 *(a) Addresses the needs of pupils in kindergarten and grades 1,
37 2 and 3 in the school district as determined by the assessment
38 conducted pursuant to subsection 1;*

39 *(b) Clearly describes interventions which are proposed to be
40 provided, which must be based on best practices for improving
41 pupil achievement and which may include, without limitation:*

42 *(1) Full-day kindergarten, if full-day kindergarten is not
43 otherwise provided;*

44 *(2) Additional classroom instruction for pupils before,
45 during or after regular school hours;*



1 (3) *Intensive early intervention reading programs offered to*
2 *pupils before and after school hours or during the summer, or*
3 *between sessions if the school operates on a year-round calendar;*

4 (4) *Additional books, computer software or library*
5 *resources;*

6 (5) *Additional tutoring for pupils during the school day;*

7 (6) *Professional development and instructional strategies*
8 *for teachers who teach a course of study in mathematics, science*
9 *or English language arts;*

10 (7) *Coaching for teachers in literacy skills to improve*
11 *instruction in the subjects of reading and mathematics;*

12 (8) *Financial incentives to assist in recruiting:*

13 (I) *Highly effective, highly qualified teachers to teach at*
14 *low performing schools;*

15 (II) *Teachers who are certified by the National Board*
16 *for Professional Teaching Standards or its successor organization*
17 *in the subject of mathematics, science or English language arts;*
18 *and*

19 (III) *Teachers who have experience and training as a*
20 *teacher of pupils who are English learners;*

21 (9) *Providing access to social and health services through*
22 *improved coordination, integration and utilization of local, state*
23 *and federal resources; and*

24 (10) *Assistance with analyzing pupil achievement data, the*
25 *use of technology, curriculum alignment and implementation of*
26 *best practices for improving the proficiency of a pupil in the*
27 *subject of reading, science, technology, engineering, mathematics*
28 *or any combination thereof.*

29 **Sec. 4. 1.** *If an alternative literacy achievement plan is*
30 *approved by the State Board pursuant to section 3 of this act, the*
31 *superintendent of schools of the school district must:*

32 (a) *On or before December 1 of the school year following the*
33 *school year in which the plan is approved, enter into a contract*
34 *with an independent third party to conduct an evaluation of the*
35 *plan.*

36 (b) *On or before May 1 of the school year following the school*
37 *year in which the plan is approved, prepare a financial report that*
38 *includes, without limitation:*

39 (1) *A list of the schools in the school district that have*
40 *participated in the plan and a description of the interventions*
41 *offered by each such school;*

42 (2) *The expenses associated with each intervention offered*
43 *in each such school and the average per pupil expense per*
44 *intervention, if known; and*



1 ***(3) The number of pupils who participated in an***
2 ***intervention offered pursuant to the plan.***

3 ***2. On or before May 1 of the school year following the school***
4 ***year in which the plan is approved, the superintendent of schools***
5 ***of the school district shall submit to the Department a copy of the***
6 ***results of the third-party, independent evaluation of the plan and***
7 ***the financial report required by paragraph (b) of subsection 1.***

8 **Sec. 5.** NRS 388.700 is hereby amended to read as follows:

9 388.700 1. Except as otherwise provided in this section ~~†~~
10 ***and except for a school within a school district for which an***
11 ***alternative literacy achievement plan has been approved pursuant***
12 ***to NRS 388.720,*** for each school quarter of a school year, the ratio
13 in each school district of pupils per licensed teacher designated to
14 teach, on a full-time basis, in classes where core curriculum is
15 taught:

16 (a) In kindergarten and grades 1 and 2, must not exceed 16 to 1,
17 and in grade 3, must not exceed 18 to 1; or

18 (b) If a plan is approved pursuant to subsection 3 of NRS
19 388.720, must not exceed the ratio set forth in that plan for the grade
20 levels specified in the plan.

21 ➔ In determining this ratio, all licensed educational personnel who
22 teach a grade level specified in paragraph (a) or a grade level
23 specified in a plan that is approved pursuant to subsection 3 of NRS
24 388.720, as applicable for the school district, must be counted
25 except teachers of art, music, physical education or special
26 education, teachers who teach one or two specific subject areas to
27 more than one classroom of pupils, and counselors, librarians,
28 administrators, deans and specialists.

29 2. A school district may, within the limits of any plan
30 ~~†adopted†~~ ***approved*** pursuant to NRS 388.720, assign a pupil whose
31 enrollment in a grade occurs after the end of a quarter during the
32 school year to any existing class regardless of the number of pupils
33 in the class if the school district requests and ~~†is approved for†~~ ***has***
34 ***been approved:***

35 (a) ***For*** a variance from the State Board pursuant to subsection 4
36 ~~†~~; or

37 (b) ***To carry out an alternative literacy achievement plan***
38 ***pursuant to NRS 388.720.***

39 3. ~~†Each†~~ ***Except for a school district for which an alternative***
40 ***literacy achievement plan has been approved pursuant to NRS***
41 ***388.720, each*** school district that includes one or more elementary
42 schools which exceed the ratio of pupils per class during any quarter
43 of a school year, as reported to the Department pursuant to
44 NRS 388.725:

45 (a) Set forth in subsection 1;



1 (b) Prescribed in conjunction with a legislative appropriation for
2 the support of the class-size reduction program; or

3 (c) Defined by a legislatively approved alternative class-size
4 reduction plan, if applicable to that school district,

5 must request a variance for each such school for the next quarter
6 of the current school year if a quarter remains in that school year or
7 for the next quarter of the succeeding school year, as applicable,
8 from the State Board by providing a written statement that includes
9 the reasons for the request and the justification for exceeding the
10 applicable prescribed ratio of pupils per class.

11 4. The State Board may grant to a school district a variance
12 from the limitation on the number of pupils per class set forth in
13 paragraph (a), (b) or (c) of subsection 3 for good cause, including
14 the lack of available financial support specifically set aside for the
15 reduction of pupil-teacher ratios.

16 5. The State Board shall, on a quarterly basis, submit a report
17 to the Interim Finance Committee on each variance requested by a
18 school district pursuant to subsection 4 during the preceding quarter
19 and, if a variance was granted, an identification of each elementary
20 school for which a variance was granted and the specific
21 justification for the variance.

22 6. The State Board shall, on or before February 1 of each odd-
23 numbered year, submit a report to the Legislature on:

24 (a) Each variance requested by a school district pursuant to
25 subsection 4 during the preceding biennium and, if a variance was
26 granted, an identification of each elementary school for which
27 variance was granted and the specific justification for the variance.

28 (b) The data reported to it by the various school districts
29 pursuant to subsection 2 of NRS 388.710, including an explanation
30 of that data, and the current pupil-teacher ratios per class in the
31 grade levels specified in paragraph (a) of subsection 1 or the grade
32 levels specified in a plan that is approved pursuant to subsection 3
33 of NRS 388.720, as applicable for the school district.

34 7. The Department shall, on or before November 15 of each
35 year, report to the Chief of the Budget Division of the Office of
36 Finance and the Fiscal Analysis Division of the Legislative Counsel
37 Bureau:

38 (a) The number of teachers employed;

39 (b) The number of teachers employed in order to attain the ratio
40 required by subsection 1;

41 (c) The number of pupils enrolled; and

42 (d) The number of teachers assigned to teach in the same
43 classroom with another teacher or in any other arrangement other
44 than one teacher assigned to one classroom of pupils,



1 ↪ during the current school year in the grade levels specified in
2 paragraph (a) of subsection 1 or the grade levels specified in a plan
3 that is approved pursuant to subsection 3 of NRS 388.720, as
4 applicable, for each school district.

5 8. The provisions of this section do not apply to a charter
6 school or to a program of distance education provided pursuant to
7 NRS 388.820 to 388.874, inclusive.

8 **Sec. 6.** NRS 388.710 is hereby amended to read as follows:

9 388.710 1. The State Board, in consultation with the trustees
10 of the school districts and the recognized associations representing
11 licensed educational personnel, after receiving comments from the
12 general public, shall determine the data that must be monitored by
13 each school district and used to measure the effectiveness of the
14 implementation of a plan *or alternative plan* developed by ~~each~~ a
15 school district to reduce the pupil-teacher ratio pursuant to NRS
16 388.720 ~~H~~ *or an alternative literacy achievement plan developed*
17 *by a school district pursuant to that section.*

18 2. Each school district shall report the data to the State Board
19 as required by the State Board.

20 **Sec. 7.** NRS 388.720 is hereby amended to read as follows:

21 388.720 1. Except as otherwise provided in subsection 2,
22 each school district together with the recognized associations
23 representing licensed educational personnel shall develop a plan to
24 reduce the district's pupil-teacher ratio per class in kindergarten and
25 grades 1, 2 and 3 within the limits of available financial support
26 specifically set aside for this purpose and submit that plan to the
27 State Board.

28 2. In lieu of complying with the pupil-teacher ratio prescribed
29 in paragraph (a) of subsection 1 of NRS 388.700, a school district
30 ~~may~~:

31 *(a) In a county whose population is less than 100,000 may, in*
32 *consultation with the recognized associations representing licensed*
33 *educational personnel, develop a plan to reduce the district's pupil-*
34 *teacher ratios per class for specified grade levels in elementary*
35 *schools. Alternative ratios for grade 6 may only be approved for*
36 *those school districts that include grade 6 in elementary school. The*
37 *alternative pupil-teacher ratios must not:*

38 ~~(a)~~ *(1) Exceed 22 to 1 in grades 1, 2 and 3; and*

39 ~~(b)~~ *(2) Exceed 25 to 1 in grades 4 and 5 or grades 4, 5 and 6,*
40 *as applicable.*

41 *(b) In consultation with the recognized associations*
42 *representing licensed educational personnel, develop an*
43 *alternative literacy achievement plan as described in section 3 of*
44 *this act.*



1 3. The State Board shall approve a plan submitted pursuant to
2 *paragraph (a) of* subsection 2 if the plan:

3 (a) Reduces the district's pupil-teacher ratio in the elementary
4 schools within the school district; and

5 (b) Is fiscally neutral such that the plan will not cost more to
6 carry out than a plan that complies with the ratios prescribed in
7 paragraph (a) of subsection 1 of NRS 388.700.

8 *4. The State Board shall approve an alternative literacy*
9 *achievement plan submitted pursuant to paragraph (b) of*
10 *subsection 2 if the plan:*

11 (a) *Meets the requirements set forth in section 3 of this act;*
12 *and*

13 (b) *Is fiscally neutral such that the plan will not cost more to*
14 *carry out than a plan that complies with the ratios prescribed in*
15 *paragraph (a) of subsection 1 of NRS 388.700.*

16 **Sec. 8.** NRS 388.723 is hereby amended to read as follows:

17 388.723 The Department shall:

18 1. Develop policies and procedures for:

19 (a) Monitoring the plan of each school district to reduce the
20 pupil-teacher ratio per class developed pursuant to NRS 388.720,
21 which must include, without limitation, provisions for:

22 (1) The review of each plan submitted to the State Board to
23 ensure the adequacy of such plans; and

24 (2) The review of any data submitted to the State Board
25 pursuant to NRS 388.710.

26 (b) Monitoring the quarterly reports concerning the average
27 daily attendance of pupils and the pupil-teacher ratios in each school
28 district submitted by the board of trustees of the school district
29 pursuant to NRS 388.725 to ensure the completeness and accuracy
30 of such reports.

31 (c) The review of any requests for a variance submitted to the
32 State Board pursuant to NRS 388.700, which must include, without
33 limitation, provisions to verify the information in such requests to
34 ensure the accuracy of the reports on variances submitted by the
35 State Board to the Legislature pursuant to that section.

36 (d) The distribution of money to each school district for the
37 reduction of pupil-teacher ratios, which must include, without
38 limitation, provisions for:

39 (1) The retention of all documents and records related to the
40 distribution; and

41 (2) The review of the work performed to determine the
42 distribution of such money to ensure the accuracy of supporting
43 information and the calculations used in making such
44 determinations.

45 2. Provide guidance to the school districts on:



1 (a) The development of a plan to reduce the pupil-teacher ratio
2 per class pursuant to NRS 388.720. In developing such guidance,
3 the Department shall:

4 (1) Outline the criteria that each plan must include to meet
5 the requirements of NRS 388.720.

6 (2) Provide examples of policies, plans or strategies adopted
7 by other states to reduce class sizes.

8 (b) The requirements for reporting information related to the
9 reduction of pupil-teacher ratios.

10 (c) The data that must be monitored pursuant to NRS 388.710
11 by each school district and used to measure the effectiveness of the
12 implementation of any plan to reduce pupil-teacher ratios.

13 3. *Provide guidance to the school districts on:*

14 (a) *The manner in which to develop an alternative literacy*
15 *achievement plan pursuant to NRS 388.720. In developing such*
16 *guidance, the Department shall:*

17 (1) *Outline the criteria that each plan must include to meet*
18 *the requirements of section 3 of this act.*

19 (2) *Provide examples of policies, plans or strategies adopted*
20 *by other states to improve the literacy of pupils.*

21 (b) *The requirements for reporting information related to the*
22 *alternative literacy achievement plan.*

23 (c) *The data that must be monitored pursuant to NRS 388.710*
24 *by each school district and used to measure the effectiveness of an*
25 *alternative literacy achievement plan.*

26 4. Communicate with the board of trustees of each school
27 district regarding the expectations of the Department for the use of
28 any money distributed to reduce pupil-teacher ratios in the school
29 district, including, without limitation, the minimum number of
30 teachers the school district is expected to employ.

31 **Sec. 9.** NRS 388.725 is hereby amended to read as follows:

32 388.725 1. On or before August 1, November 1, February 1
33 and May 1 of each year, the board of trustees of each school district
34 shall report to the Department for the preceding quarter:

35 (a) Except as otherwise provided in paragraph (b), the average
36 daily attendance of pupils and the ratio of pupils per licensed teacher
37 for grades 1, 2 and 3 for each elementary school in the school
38 district.

39 (b) If the State Board has approved an alternative class-size
40 reduction plan for the school district pursuant to NRS 388.720, the
41 average daily attendance of pupils and the ratio of pupils per
42 licensed teacher for those grades which are required to comply with
43 the alternative class-size reduction plan for each elementary school
44 in the school district.



1 2. The board of trustees of each school district shall post on the
2 Internet website maintained by the school district:

3 (a) The information concerning average daily attendance and
4 class size for each elementary school in the school district, as
5 reported to the Department pursuant to subsection 1; and

6 (b) An identification of each elementary school in the school
7 district, if any, for which a variance from the prescribed pupil-
8 teacher ratios was granted by the State Board pursuant to subsection
9 4 of NRS 388.700 ~~†~~; and

10 *(c) An identification of each elementary school in the school*
11 *district, if any, that are part of an alternative literacy achievement*
12 *plan approved pursuant to NRS 388.720.*

13 **Sec. 10.** NRS 218E.615 is hereby amended to read as follows:

14 218E.615 The Committee may:

15 1. Evaluate, review and comment upon issues related to
16 education within this State, including, but not limited to:

17 (a) Programs to enhance accountability in education;

18 (b) Legislative measures regarding education;

19 (c) The progress made by this State, the school districts and the
20 public schools in this State in satisfying the goals and objectives of
21 the statewide system of accountability for public schools;

22 (d) Methods of financing public education;

23 (e) The condition of public education in the elementary and
24 secondary schools;

25 (f) The program to reduce the ratio of pupils per class per
26 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720
27 ~~†~~ *or an alternative literacy achievement plan that has been*
28 *approved pursuant to NRS 388.720.*

29 (g) The development of any programs to automate the receipt,
30 storage and retrieval of the educational records of pupils; and

31 (h) Any other matters that, in the determination of the
32 Committee, affect the education of pupils within this State.

33 2. Conduct investigations and hold hearings in connection with
34 its duties pursuant to this section and exercise any of the
35 investigative powers set forth in NRS 218E.105 to 218E.140,
36 inclusive.

37 3. Request that the Legislative Counsel Bureau assist in the
38 research, investigations, hearings and reviews of the Committee.

39 4. Make recommendations to the Legislature concerning the
40 manner in which public education may be improved.

41 **Sec. 11.** NRS 218E.625 is hereby amended to read as follows:

42 218E.625 1. The Legislative Bureau of Educational
43 Accountability and Program Evaluation is hereby created within the
44 Fiscal Analysis Division. The Fiscal Analysts shall appoint to the
45 Legislative Bureau of Educational Accountability and Program



1 Evaluation a Chief and such other personnel as the Fiscal Analysts
2 determine are necessary for the Bureau to carry out its duties
3 pursuant to this section.

4 2. The Bureau shall, as the Fiscal Analysts determine is
5 necessary or at the request of the Committee:

6 (a) Collect and analyze data and issue written reports
7 concerning:

8 (1) The effectiveness of the provisions of chapter 385A of
9 NRS in improving the accountability of the schools of this State;

10 (2) The statewide program to reduce the ratio of pupils per
11 class per licensed teacher prescribed in NRS 388.700, 388.710 and
12 388.720 ~~or~~ *or an alternative literacy achievement plan that has*
13 *been approved pursuant to NRS 388.720.*

14 (3) The statewide program to educate persons with
15 disabilities that is set forth in NRS 388.5211 to 388.5243, inclusive;

16 (4) The results of the examinations of the National
17 Assessment of Educational Progress that are administered pursuant
18 to NRS 390.830; and

19 (5) Any program or legislative measure, the purpose of
20 which is to reform the system of education within this State.

21 (b) Conduct studies and analyses to evaluate the performance
22 and progress of the system of public education within this State.
23 Such studies and analyses may be conducted:

24 (1) As the Fiscal Analysts determine are necessary; or

25 (2) At the request of the Legislature.

26 ↪ This paragraph does not prohibit the Bureau from contracting
27 with a person or entity to conduct studies and analyses on behalf of
28 the Bureau.

29 (c) On or before October 1 of each even-numbered year, submit
30 a written report of its findings pursuant to paragraphs (a) and (b) to
31 the Director for transmission to the next regular session. The Bureau
32 shall, on or before October 1 of each odd-numbered year, submit a
33 written report of its findings pursuant to paragraphs (a) and (b) to
34 the Director for transmission to the Legislative Commission and to
35 the Legislative Committee on Education.

36 3. The Bureau may, pursuant to NRS 218F.620, require a
37 school, a school district, the Nevada System of Higher Education or
38 the Department of Education to submit to the Bureau books, papers,
39 records and other information that the Chief of the Bureau
40 determines are necessary to carry out the duties of the Bureau
41 pursuant to this section. An entity whom the Bureau requests to
42 produce records or other information shall provide the records or
43 other information in any readily available format specified by the
44 Bureau.



1 4. Except as otherwise provided in this subsection and NRS
2 239.0115, any information obtained by the Bureau pursuant to this
3 section shall be deemed a work product that is confidential pursuant
4 to NRS 218F.150. The Bureau may, at the discretion of the Chief
5 and after submission to the Legislature or Legislative Commission,
6 as appropriate, publish reports of its findings pursuant to paragraphs
7 (a) and (b) of subsection 2.

8 5. This section does not prohibit the Department of Education
9 or the State Board of Education from conducting analyses,
10 submitting reports or otherwise reviewing educational programs in
11 this State.

12 **Sec. 12.** The provisions of subsection 1 of NRS 218D.380 do
13 not apply to any provision of this act which adds or revises a
14 requirement to submit a report to the Legislature.

15 **Sec. 13.** This act becomes effective on July 1, 2017.

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