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ASSEMBLY BILL NO. 411—ASSEMBLYMEN ANGLE, GUSTAVSON,  
BEERS, GIBBONS, GRIFFIN, HARDY, HETRICK, MABEY  
AND MARVEL

MARCH 17, 2003

Referred to Committee on Education

SUMMARY—Revises provisions governing literacy in public schools. (BDR 34-731)

FISCAL NOTE: Effect on Local Government: Yes.  
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.

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AN ACT relating to education; requiring the State Board of Education to prescribe a program of reading instruction for elementary schools; requiring the boards of trustees of school districts and the governing bodies of certain charter schools to carry out the program of reading instruction and to administer certain assessments under certain circumstances; requiring the regional training programs for the professional development of teachers and administrators to provide training in reading instruction; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 389 of NRS is hereby amended by adding  
2     thereto the provisions set forth as sections 2, 3 and 4 of this act.  
3     **Sec. 2.** *The Legislature declares that it is essential to the*  
4     *educational success of the children who are enrolled in Nevada's*  
5     *public schools that they learn to read with proficiency by the end*  
6     *of grade 3.*  
7     **Sec. 3. 1.** *The State Board shall prescribe by regulation a*  
8     *program of reading instruction for the elementary schools in this*



\* A B 4 1 1 \*

- 1 *state. The program must require that pupils in kindergarten and*  
2 *grades 1, 2 and 3:*
- 3 *(a) Receive instruction in reading that is based on*  
4 *scientifically based reading research and that includes the*  
5 *following essential components of reading instruction:*
- 6 *(1) Phonemic awareness;*  
7 *(2) Phonics;*  
8 *(3) Development of vocabulary, including, without*  
9 *limitation, listening vocabulary, speaking vocabulary, reading*  
10 *vocabulary and writing vocabulary;*  
11 *(4) Reading fluency; and*  
12 *(5) Strategies of reading comprehension.*
- 13 *(b) Have sufficient time each school day for reading*  
14 *instruction, which may include an uninterrupted time of 90*  
15 *minutes per school day.*
- 16 *(c) Only to the extent money is available to the school districts*  
17 *and charter schools from the Federal Government or this state,*  
18 *take the following assessments in reading:*
- 19 *(1) Screening reading assessments;*  
20 *(2) Diagnostic reading assessments; and*  
21 *(3) Classroom-based instructional reading assessments.*
- 22 *2. The program of reading instruction must be accompanied*  
23 *by the provision of professional development for teachers as set*  
24 *forth in NRS 391.544.*
- 25 *3. As used in this section:*
- 26 *(a) "Classroom-based instructional reading assessment"*  
27 *means an assessment that:*
- 28 *(1) Evaluates the progress of a pupil based on systematic*  
29 *observations of the pupil by teachers while the pupil performs*  
30 *academic tasks that are part of the regular school day; and*  
31 *(2) Is used to improve instruction in reading, including,*  
32 *without limitation, instruction in reading provided in the*  
33 *classroom.*
- 34 *(b) "Development of vocabulary" means the development of*  
35 *stored information about the meanings and pronunciation of*  
36 *words necessary for communication.*
- 37 *(c) "Diagnostic reading assessment" means an assessment that*  
38 *is:*
- 39 *(1) Valid, reliable and based on scientifically based reading*  
40 *research; and*  
41 *(2) Used for the purposes of:*
- 42 *(I) Identifying a pupil's specific areas of strengths and*  
43 *weaknesses to ensure that the pupil reads with proficiency by the*  
44 *end of grade 3;*



- 1           (II) *Determining any difficulties that a pupil may have*
- 2 *in learning to read and the potential cause of such difficulties;*
- 3 *and*
- 4           (III) *Identifying possible intervention strategies and*
- 5 *special services that may assist a pupil with learning to read with*
- 6 *proficiency by the end of grade 3.*
- 7           (d) *“Listening vocabulary” means the words needed to*
- 8 *understand what is heard.*
- 9           (e) *“Phonemic awareness” means the ability to:*
- 10           (1) *Hear, identify and manipulate individual sounds into*
- 11 *spoken words.*
- 12           (2) *Understand that the sounds of the spoken language*
- 13 *work together to make words.*
- 14           (f) *“Phonics” means the application of a predictable*
- 15 *relationship between phonemes and graphemes to:*
- 16           (1) *Recognize familiar words accurately and automatically;*
- 17 *and*
- 18           (2) *Decode unfamiliar words.*
- 19           (g) *“Reading fluency” means the ability to:*
- 20           (1) *Read text accurately and quickly; and*
- 21           (2) *Recognize words and comprehend their meanings*
- 22 *simultaneously.*
- 23           (h) *“Reading vocabulary” means the words needed to*
- 24 *understand what is read.*
- 25           (i) *“Scientifically based reading research” has the meaning*
- 26 *ascribed to it in 20 U.S.C. § 6368(6).*
- 27           (j) *“Screening reading assessment” means an assessment that*
- 28 *is:*
- 29           (1) *Valid, reliable and based on scientifically based reading*
- 30 *research; and*
- 31           (2) *Designed to identify pupils who may be at high risk for*
- 32 *delayed development or academic failure to determine the need for*
- 33 *special services or additional reading instruction.*
- 34           (k) *“Speaking vocabulary” means the words used when*
- 35 *speaking.*
- 36           (l) *“Strategies of reading comprehension” means strategies for*
- 37 *understanding, remembering and communicating about what is*
- 38 *read.*
- 39           (m) *“Writing vocabulary” means the words used for writing.*
- 40       **Sec. 4. 1. The board of trustees of each school district**
- 41 **shall:**
- 42           (a) *Carry out the program of reading instruction prescribed*
- 43 *pursuant to section 3 of this act in each elementary school in the*
- 44 *school district.*



1 *(b) Only to the extent money is available from the Federal*  
2 *Government or this state, adopt a plan for administering the*  
3 *assessments required by paragraph (c) of subsection 1 of section 3*  
4 *of this act and administer the assessments in accordance with the*  
5 *plan.*

6 *(c) Only to the extent money is available from the Federal*  
7 *Government or this state, ensure that each teacher employed by*  
8 *the school district who teaches the program of reading instruction*  
9 *is assigned at least one mentor and, to the extent practicable, at*  
10 *least one outside expert to provide feedback regarding the*  
11 *effectiveness of the teacher in teaching the program.*

12 **2. The governing body of each charter school that provides**  
13 **instruction in kindergarten or grade 1, 2 or 3 shall:**

14 *(a) Carry out the program of reading instruction prescribed*  
15 *pursuant to section 3 of this act in the charter school.*

16 *(b) Only to the extent money is available from the Federal*  
17 *Government or this state, adopt a plan for administering the*  
18 *assessments required by paragraph (c) of subsection 1 of section 3*  
19 *of this act and administer the assessments in accordance with the*  
20 *plan.*

21 *(c) Only to the extent money is available from the Federal*  
22 *Government or this state, ensure that each teacher employed by*  
23 *the charter school who teaches the program of reading instruction*  
24 *is assigned mentors, peers and, to the extent practicable, outside*  
25 *experts to provide feedback regarding the effectiveness of the*  
26 *teacher in teaching the program.*

27 **Sec. 5.** NRS 389.0185 is hereby amended to read as follows:

28 389.0185 The State Board shall adopt regulations establishing  
29 courses of study and the grade levels for which the courses of study  
30 apply for:

31 1. The academic subjects set forth in NRS 389.018. *The*  
32 *subject area of reading must include the program of instruction*  
33 *prescribed pursuant to section 3 of this act for kindergarten and*  
34 *grades 1, 2 and 3.*

35 2. Citizenship and physical training for pupils enrolled in high  
36 school.

37 3. Physiology, hygiene and cardiopulmonary resuscitation.

38 4. The prevention of suicide.

39 5. Instruction relating to child abuse.

40 6. The economics of the American system of free enterprise.

41 7. American Sign Language.

42 8. Environmental education.

43 9. Adult roles and responsibilities.

44 A course of study established for subsection 1 may include one or  
45 more of the subjects listed in subsections 2 to 9, inclusive.



1       **Sec. 6.** NRS 389.520 is hereby amended to read as follows:  
2       389.520 1. The Council shall:  
3       (a) Establish standards of content and performance, including,  
4 without limitation, a prescription of the resulting level of  
5 achievement, for the grade levels set forth in subsection 2, based  
6 upon the content of each course, that is expected of pupils for the  
7 following courses of study:  
8       (1) English, including reading, composition and writing . ~~{}~~  
9       *The standards of content and performance established for the*  
10 *subject area of reading must comply with the program of reading*  
11 *instruction prescribed by the State Board pursuant to section 3 of*  
12 *this act.*  
13       (2) Mathematics . ~~{}~~  
14       (3) Science . ~~{}~~  
15       (4) Social studies, which includes only the subjects of  
16 history, geography, economics and government . ~~{}~~  
17       (5) The arts . ~~{}~~  
18       (6) Computer education and technology . ~~{}~~  
19       (7) Health . ~~{-and}~~  
20       (8) Physical education.  
21       (b) Establish a schedule for the periodic review and, if  
22 necessary, revision of the standards of content and performance. The  
23 review must include, without limitation, the review required  
24 pursuant to NRS 389.570 of the results of pupils on the  
25 examinations administered pursuant to NRS 389.550.  
26       (c) Assign priorities to the standards of content and performance  
27 relative to importance and degree of emphasis and revise the  
28 standards, if necessary, based upon the priorities.  
29       2. The Council shall establish standards of content and  
30 performance for each grade level in kindergarten and grades 1 to 8,  
31 inclusive, for English and mathematics. The Council shall establish  
32 standards of content and performance for the grade levels selected  
33 by the Council for the other courses of study prescribed in  
34 subsection 1.  
35       3. The State Board shall adopt the standards of content and  
36 performance established by the Council.  
37       4. The Council shall work in cooperation with the State Board  
38 to prescribe the examinations required by NRS 389.550.  
39       **Sec. 7.** NRS 391.544 is hereby amended to read as follows:  
40       391.544 1. Based upon the assessment of needs for training  
41 within the region and priorities of training adopted by the governing  
42 body pursuant to NRS 391.540, each regional training program must  
43 provide:



- 1 (a) Training for teachers in the standards established by the  
2 Council to Establish Academic Standards for Public Schools  
3 pursuant to NRS 389.520; ~~and~~
- 4 (b) *Training for teachers on:*  
5 (1) *How to provide instruction in reading that is based on*  
6 *scientifically based reading research;*  
7 (2) *The essential components of reading instruction as set*  
8 *forth in paragraph (a) of subsection 1 of section 3 of this act,*  
9 *including the progression in which the components should be*  
10 *taught;*  
11 (3) *The underlying structure of the English language;*  
12 (4) *The reasons why some pupils have difficulty with*  
13 *learning to read;*  
14 (5) *The assessment and measurement of pupil achievement*  
15 *in reading and the effective methods to analyze the test results and*  
16 *scores of pupils to improve the achievement and proficiency of*  
17 *pupils in reading; and*  
18 (6) *Methods and strategies to effectively manage a*  
19 *classroom to maximize the time spent on instruction, including,*  
20 *without limitation, reading instruction.*
- 21 (c) At least one of the following types of training:  
22 (1) Training for teachers and school administrators in the  
23 assessment and measurement of pupil achievement and the effective  
24 methods to analyze the test results and scores of pupils to improve  
25 the achievement and proficiency of pupils.  
26 (2) Training for teachers in specific content areas to enable  
27 the teachers to provide a higher level of instruction in their  
28 respective fields of teaching. Such training must include instruction  
29 in effective methods to teach in a content area provided by teachers  
30 who are considered masters in that content area.  
31 (3) Training for teachers in the methods to teach basic skills  
32 to pupils, such as providing instruction in reading with the use of  
33 phonics and providing instruction in basic skills of mathematics  
34 computation.
- 35 2. The training required pursuant to subsection 1 must:  
36 (a) Include appropriate procedures to ensure follow-up training  
37 for teachers and administrators who have received training through  
38 the program.  
39 (b) Incorporate training that addresses the educational needs of:  
40 (1) Pupils with disabilities who participate in programs of  
41 special education; and  
42 (2) Pupils whose primary language is not English.
- 43 3. The governing body of each regional training program shall  
44 prepare and maintain a list that identifies programs for the  
45 professional development of teachers and administrators that



1 successfully incorporate the standards of content and performance  
2 established by the Council to Establish Academic Standards for  
3 Public Schools pursuant to NRS 389.520 and other training listed in  
4 subsection 1. The governing body shall provide a copy of the list on  
5 an annual basis to school districts for dissemination to teachers and  
6 administrators.

7 4. A regional training program may include model classrooms  
8 that demonstrate the use of educational technology for teaching and  
9 learning.

10 **Sec. 8.** On or before July 1, 2004, the State Board of  
11 Education shall adopt regulations prescribing a program of reading  
12 instruction pursuant to section 3 of this act.

13 **Sec. 9.** 1. This section and sections 1, 2, 3, 7 and 8 of this act  
14 become effective on July 1, 2003.

15 2. Sections 4, 5 and 6 of this act become effective on July 1,  
16 2004.

