

## Agenda Item #6

### Draft Regulations NAC 388G

**Protections against retaliation/reprisal:** In order for local school precincts to exercise the full extent of their autonomy afforded under Assembly Bill 469, a complete and open exchange of ideas must be encouraged. Assembly Bill 469 extended protections to members of each local precinct's School Organizational Team to encourage active participation by the public. In order to encourage the free flow of ideas and innovation, the regulations seek to extend protections against retaliation or reprisal to parents, teachers, principals and other members actively engaged at a local school precinct.

- Establishing no employer or school district may take adverse action against an employee or member of a School Organizational Team for engaging in their work under AB469.
- Establishing a complaint procedure first heard at the district then appealable to the state. Each step in the process shall include timelines.
  - Within 15 days of complaint filed to local school district the school district must respond in writing.
  - To file an appeal with the Nevada Department of Education, the employee must first file a formal appeal through the district's adopted appeal process.
  - If, after filing an appeal, the employee still feels dissatisfied with the outcome of the district's final appeal process, they may file with the Nevada Department of Education within 30 days after receiving their final response.
  - A complaint to the Department must include any written report prepared by or at the direction of the local district or school or charter school regarding the alleged violation.
  - A Final Report will be issued within 45 working days of the Preliminary Report. If the Investigation Division requests additional time for its work, the Department will notify the parent.
  - The Department may request a plan of corrective action with suggested changes to be made by the local district pursuant to the Superintendent of Public Instruction's authority under state law. The request for a corrective action plan and any local response would be made public.

**Establish the Service Level Agreement; minimum standards;** terms and conditions; and when an SLA is required: the SLAs clarify the "transfer authority to each local school precinct to carry out responsibilities" in Sec. 16(1) and "made in consultation" under Se. 16(6).

- The transfer of authority to each local school precinct shall be made through service level agreements between local school precincts and central services.
- Service level agreements shall be developed between schools and any Central services departments for:
  - Any service listed in 16.3 (a) through (t) for which responsibility is transferred pursuant to Section 16.7 of A.B. 469.
  - Any service listed in 16.3 (a) through (t) for which responsibility is not transferred pursuant to Section 16.7 of A.B. 469.
- At a minimum, a service level agreement shall:
  - Describe the purpose of the service provided for under the agreement;
  - Describe any laws, policies, regulations, or administrative directives pertaining to the delivery of the service;
  - Describe the roles and responsibilities of the local school precinct in purchasing the service from Central Services;
  - Describe site-based decision-making that the principal of the local school precinct has over the provision of the service;
  - Define the scope of work and measures of quality for the service provided by Central Services;
  - Define the recourse that a local school precinct has if it is dissatisfied with the service provided under the service agreement, and;
  - Define the fee for the service provided by Central Services to be charged to the local school precinct budget.
- For services which responsibility is transferred to local school precincts pursuant to Section 16.7 of A.B. 469:
  - The district must allocate additional money to the local school precinct in an amount equal to the amount that would otherwise be paid by the large school district to carry out the responsibility.
  - Such money shall be considered allocated to local school precincts for purposes of compliance with Section 18.1(b) of A.B. 469.
  - The principal of a local school precinct shall have the authority to either:
    - Negotiate and enter into an educational service delivery agreement with Central Services;
    - Negotiate and enter into a professional services agreement with a qualified outside vendor, or;
    - Utilize the additional money allocated to them pursuant to Section 18.1(b) of A.B. 469 to carry out the responsibility at the school site
  - No provision of this regulation shall be construed to require local school precincts to enter into service level agreements with Central

Services for services which responsibility is transferred to local school precincts pursuant to Section 16.7 of A.B. 469.

- For services which responsibility is not transferred to local school precincts pursuant to Section 16.7 of A.B. 469:
  - The District shall submit draft service level agreements to school associate superintendents on or before January 15th of each year for the following school year.
  - School Associate Superintendents shall meet with the principals of local school precincts to review and solicit comments on draft service level agreements before February 15th of each year.
  - School Associate Superintendents shall provide a report on that feedback to the Superintendent before March 15th of each year.
  - Based on that feedback, the Superintendent shall determine whether to make changes to draft service level agreements for the next school year.
  - The Superintendents shall finalize, publish, and make available to principals service level agreements before May 15th of each year.
- No provision of a service level agreement shall be construed to give Central Services supervisory authority over the principal of the local school precinct, nor the staff who work under the supervision of the principal.
- The execution of a service level agreement for a particular service shall satisfy the requirement of consultation regarding the assignment and any subsequent reassignment of the member of Central Services to local school precincts, as outlined in Sec. 16.6 of A.B. 469, for that service.

#### **Clarify the timing of local precinct budget amendments**

- Before October 1 of each school year, local school precinct budgets shall be amended to reflect changes based on the enrollment of pupils at the local school precinct.
- Local school precincts shall make determinations on any staffing changes related to October 1 budget amendments before November 1 of each school year.

#### **Define Small Rural School**

Clarify the scope of the transfer of money to local school precincts: (expressed here by inserting language into Sec. 16.8 of A.B. 469):

#### **Clarify the Term Allocate**

- Money shall be considered allocated to local school precincts if:

- It is placed into school strategic budget.