

ASSEMBLY BILL NO. 3—COMMITTEE OF THE WHOLE

JUNE 5, 2007

Declared an Emergency Measure

SUMMARY—Revises provisions governing licensed teachers and makes an appropriation. (BDR S-8)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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

AN ACT relating to education; making an appropriation for school districts that adopt pilot programs of performance pay and enhanced compensation for the recruitment and retention of licensed teachers; making an appropriation to continue certain contractual services of a consultant; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The provisions of this bill are identical to the provisions in the Second Reprint of Assembly Bill No. 280 of the 74th Session of the Nevada Legislature, except for a revision to clarify that the pilot programs of performance pay for teachers must focus on pupil achievement.

Section 2 of this bill appropriates money to provide for pilot programs of performance pay and enhanced compensation for the recruitment and retention of licensed teachers.

Section 3 of this bill appropriates money to continue the contractual services of a consultant to provide for the reporting of test scores of pupils and other educational services.

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

Section 1. 1. There is hereby appropriated from the State General Fund to the Department of Education for pilot programs of performance pay and enhanced compensation for the recruitment and retention of licensed teachers:



1 For the Fiscal Year 2007-2008..... \$5,000,000
2 For the Fiscal Year 2008-2009..... \$5,000,000

3 2. The Board of Trustees of the Clark County School District
4 and the Board of Trustees of the Washoe County School District
5 shall, and the board of trustees of a school district in a county whose
6 population is less than 100,000 may, submit an application to the
7 Department of Education that sets forth a pilot program of
8 performance pay and enhanced compensation for the recruitment
9 and retention of licensed teachers adopted by the school district and
10 negotiated pursuant to chapter 288 of NRS. In addition, each school
11 district that submits an application shall submit a copy of its
12 application to the Legislative Bureau of Educational Accountability
13 and Program Evaluation. The Department shall present a summary
14 of the applications to the Legislative Committee on Education. Each
15 application must be submitted on or before March 1, 2008, and must
16 specify the exact manner in which the money will be used for the
17 pilot program.

18 3. The pilot program developed by each school district that
19 submits an application must have as its primary focus the
20 improvement in the academic achievement of pupils and must give
21 appropriate consideration to implementation in at-risk schools. In
22 addition, the pilot program may include, without limitation, the
23 following components:

24 (a) Career leadership advancement options to maximize the
25 retention of teachers in the classroom;

26 (b) Professional development;

27 (c) Group incentives; and

28 (d) Multiple assessments of individual teachers, with primary
29 emphasis on individual pupil improvement and growth in academic
30 achievement, including, without limitation, portfolios of instruction,
31 leadership and professional growth, and other appropriate measures
32 of teacher performance must be considered.

33 4. Each pilot program must be developed in consultation with
34 an advisory board established by the school district which consists
35 of, without limitation:

36 (a) Representatives of businesses;

37 (b) Parents of pupils enrolled in the school district;

38 (c) Licensed educational personnel; and

39 (d) Other persons and representatives as the board of trustees
40 determines appropriate.

41 ➡ The total number of licensed educational personnel on the
42 advisory board must not exceed the total number of other members
43 on the advisory board.

44 5. The Department of Education shall distribute the money
45 appropriated by subsection 1 among the school districts whose



1 applications are approved pro rata based upon the number of pupils
2 enrolled in each school district. The amount of compensation that an
3 individual teacher may receive from the grant received by a school
4 district must not exceed \$3,000 per year.

5 6. The board of trustees of each school district that receives a
6 grant of money pursuant to this section shall evaluate the
7 effectiveness of the pilot program for which the grant of money was
8 awarded. The evaluation must include, without limitation:

9 (a) An evaluation of whether the pilot program is effective in
10 recruiting and retaining qualified teachers;

11 (b) The number of licensed teachers who participated in the pilot
12 program;

13 (c) The grade level of the schools that participated in the pilot
14 program;

15 (d) The subject areas taught by the teachers who participated, if
16 applicable;

17 (e) The level of experience of the teachers who participated;

18 (f) The goals and outcomes of the pilot program based upon the
19 components of the pilot program; and

20 (g) Any recommendations for consideration by the 75th Session
21 of the Nevada Legislature.

22 7. On or before January 1, 2009, the board of trustees of each
23 school district shall submit a report of its evaluation and any
24 recommendations to the:

25 (a) Legislative Committee on Education;

26 (b) Department of Education; and

27 (c) Legislative Bureau of Educational Accountability and
28 Program Evaluation.

29 8. The Department of Education shall compile the reports of
30 the evaluations and submit a written summary of the compilation to
31 the Director of the Legislative Counsel Bureau for transmittal to the
32 75th Session of the Nevada Legislature.

33 9. The Department of Education shall, in consultation with
34 representatives appointed by the Nevada Association of School
35 Superintendents and the Nevada Association of School Boards,
36 develop a formula for identifying at-risk schools for purposes of this
37 section. The formula must be developed on or before July 1, 2007,
38 and include, without limitation, the following factors:

39 (a) The percentage of pupils who are eligible for free or
40 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.;

41 (b) The transiency rate of pupils;

42 (c) The percentage of pupils who are limited English proficient;

43 (d) The percentage of pupils who have individualized education
44 programs;



(e) The percentage of pupils who score in the bottom two quarters on the mathematics portion or the reading portion, or both, of the high school proficiency examination; and

(f) The percentage of pupils who drop out of high school before graduation.

10. The sums appropriated by subsection 1 must not be used to negotiate the salaries of teachers who participate in the program.

11. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 2. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee:

For the Fiscal Year 2007-2008..... \$475,000

For the Fiscal Year 2008-2009..... \$475,000

2. The Interim Finance Committee shall use the money appropriated by subsection 1 to continue the contractual services of a consultant to provide for the reporting of test scores of pupils to parents and to provide web-based data to improve the performance of pupils on statewide examinations, and to provide related services identified by the Interim Finance Committee.

3. The sums appropriated by subsection 1 are available for either fiscal year. Any remaining balance of those sums must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 3. This act becomes effective on July 1, 2007.

