

ASSEMBLY BILL NO. 335—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON EDUCATION)

MARCH 21, 2005

Referred to Concurrent Committees on Education
and Ways and Means

SUMMARY—Makes various changes regarding education and makes appropriations. (BDR S-482)

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 ~~omitted material~~ is material to be omitted.

AN ACT relating to education; making appropriations for educational technology, the expansion of the co-teaching program in the Clark County School District and the contractual services of a consultant to provide personalized study guides to pupils who fail one or more portions of the high school proficiency examination; requiring the Superintendent of Public Instruction to establish an Advisory Task Force to Review Certain Academic Standards and the High School Proficiency Examination; prescribing the membership and duties of the Advisory Task Force; requiring the Department of Education to review, during the 2005-2007 interim, certain issues related to distance education; requiring the Legislative Committee on Education to review, during the 2005-2007 interim, the transition of pupils from high school to postsecondary education; and providing other matters properly relating thereto.



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 the sum of \$9,950,000 for educational technology.

2. The Department of Education shall distribute the money appropriated by subsection 1 as follows:

(a) For the Commission on Educational Technology to grant to local school districts for pilot programs that demonstrate best practices for the use of educational technology to improve the achievement of pupils:

For the Fiscal Year 2005-2006..... \$150,000

For the Fiscal Year 2006-2007..... \$150,000

(b) For the Commission on Educational Technology to distribute for the KLVX Distance Learning Satellite Service \$400,000

(c) For the Commission on Educational Technology to grant to the Division of State Library and Archives of the Department of Cultural Affairs for licenses to allow school libraries access to research databases and other on-line resources appropriate for pupils..... \$500,000

(d) For the Commission on Educational Technology to grant money to local school districts in accordance with the priorities established by the Commission pursuant to subsection 3 \$8,750,000

3. The Commission on Educational Technology shall establish a list of priorities for the grants of money to school districts pursuant to section 2 of this act. The list of priorities must include, without limitation, networked computers for classrooms, repair, replacement and upgrade of computer hardware and software, and contracting services for enhanced technical support.

4. On or before September 1, 2005, the Commission on Educational Technology shall submit the list of priorities to the Legislative Committee on Education for its review and approval. The Commission shall not award grants of money pursuant to paragraph (d) of subsection 2 unless the Legislative Committee has approved the list of priorities established by the Commission. If the Legislative Committee approves the list of priorities, the Department of Education and the Commission shall provide notice of the list to all school districts in this State.

5. The sums appropriated by paragraph (a) of subsection 2 are available for either fiscal year. Any balance of those sums must not be committed for expenditure after June 30, 2007, and reverts to the State General Fund as soon as all payments of money committed have been made.



6. Any remaining balance of the appropriations made by paragraphs (b), (c) and (d) of subsection 2 must not be committed for expenditure after June 30, 2007, and reverts to the State General Fund as soon as all payments of money committed have been made.

Sec. 2. 1. To receive a grant of money pursuant to paragraph (d) of subsection 2 of section 1 of this act, a school district must:

(a) Complete forms provided by the Superintendent of Public Instruction.

(b) Submit a written request to the Commission on Educational Technology that identifies the needs of the schools within the school district for educational technology in accordance with the list of priorities established by the Commission pursuant to subsection 4 of section 1 of this act.

(c) Submit a plan to the Commission on Educational Technology for the use of educational technology to improve the instruction and academic achievement of pupils, based upon the most recent version of the plan adopted by the Commission pursuant to NRS 388.795 for the use of educational technology in the public schools of this State. A school district may, as part of its plan and upon approval of the Commission, elect to use refurbished computers that do not meet the technical standards established by the Commission.

(d) Submit a plan for evaluation in accordance with guidelines submitted by the Commission on Educational Technology that includes the effectiveness of the use of educational technology in improving the academic achievement of pupils.

(e) Provide any additional information requested by the Commission on Educational Technology.

2. The Commission on Educational Technology shall determine the amount of money that must be distributed to school districts based upon the priorities for grants established by the Commission pursuant to subsection 4 of section 1 of this act, the needs of each school district and the wealth of the school district relative to the other school districts in this State.

3. A school district that receives a grant of money shall:

(a) Account for the money separately; and

(b) Use the money to supplement, and not replace, the money that the school district would otherwise expend for educational technology.

4. A school district that receives a grant of money shall not use the money to:

(a) Settle or arbitrate disputes or negotiate settlements between an organization that represents licensed employees of the school district and the school district.



(b) Adjust the schedules of salaries and benefits of the employees of the school district.

5. On or before January 1, 2007, each school district that receives a grant of money shall submit to the Department of Education and the Commission on Educational Technology a written report in the format required by the Department. The report must include, without limitation:

(a) A statement of the amount of the grant distributed to the school district;

(b) A record of the manner in which the money was expended;

(c) The purposes of each such expenditure; and

(d) Any other expenditures for similar purposes from other money available to the school district.

6. On or before February 1, 2007, the Department of Education shall submit a written summary to the Governor, the Commission on Educational Technology and the Director of the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature. The written summary must include, without limitation:

(a) The name of each school district that received a grant of money; and

(b) A compilation of the reports submitted to the Department pursuant to subsection 5.

Sec. 3. 1. There is hereby appropriated from the State General Fund to the Clark County School District the following sums for the further development and expansion of the co-teaching program in secondary schools in the School District:

For the Fiscal Year 2005-2006..... \$1,108,740

For the Fiscal Year 2006-2007..... \$1,108,740

2. The Clark County School District shall use the money appropriated by subsection 1 to:

(a) Further develop and expand the co-teaching program in the secondary schools of the School District pursuant to which special education teachers are paired with general education teachers to plan instruction and the delivery of subject matter to ensure that pupils enrolled in programs of special education in the School District are successful in the general education setting.

(b) Provide planning time during the summer and during the school year for the teachers who participate in the program.

(c) Provide substitute teachers so that the teachers participating in the program may attend training classes and seminars related to co-teaching.

3. On or before September 1, 2006, the Clark County School District shall submit to the Legislative Committee on Education and the Legislative Bureau of Educational Accountability and Program Evaluation an interim report of the progress of the further



development and expansion of the co-teaching program in the secondary schools of the School District.

4. On or before February 1, 2007, the Clark County School District shall submit to the Director of the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature a final written report that includes:

(a) The manner in which the money appropriated by subsection 1 was used by the Clark County School District;

(b) A summary of the effectiveness of the co-teaching program in the Clark County School District, including, without limitation, the effect of the program on the achievement of pupils who are enrolled in programs of special education; and

(c) Any recommendations for legislation or other considerations for expanding the co-teaching program statewide.

5. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and must be reverted to the State General Fund on or before September 15, 2006, and September 21, 2007, respectively.

Sec. 4. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the following sums for the contractual services of a consultant to provide personalized study guides for pupils who fail one or more portions of the high school proficiency examination:

For the Fiscal Year 2005-2006..... \$795,000

For the Fiscal Year 2006-2007..... \$750,000

2. The sums appropriated by subsection 1 are available for either fiscal year. Any balance of those sums must not be committed for expenditure after June 30, 2007, and must be reverted to the State General Fund on or before September 21, 2007.

Sec. 5. 1. The Superintendent of Public Instruction shall establish an Advisory Task Force to Review Certain Academic Standards and the High School Proficiency Examination. All appointments to the Task Force must be made on or before September 1, 2005.

2. The Superintendent of Public Instruction shall appoint the following members to the Task Force:

(a) One director of testing of a school district in a county whose population is 100,000 or more and one director of testing of a school district in a county whose population is less than 100,000;

(b) One director of curriculum of a school district in a county whose population is 100,000 or more and one director of curriculum of a school district in a county whose population is less than 100,000;



1 (c) One teacher who provides instruction in a public high
2 school;

3 (d) One teacher who provides instruction in a public middle
4 school or junior high school;

5 (e) One teacher who provides instruction in a public elementary
6 school;

7 (f) Two nonlegislative members of the Council to Establish
8 Academic Standards for Public Schools created by NRS 389.510;

9 (g) One parent or legal guardian of a pupil who is enrolled in a
10 public high school;

11 (h) One parent or legal guardian of a pupil who is enrolled in a
12 public middle school or junior high school; and

13 (i) One parent or legal guardian of a pupil who is enrolled in a
14 public elementary school.

15 3. The Speaker of the Assembly shall appoint one
16 assemblyman to the Task Force.

17 4. The Majority Leader of the Senate shall appoint one senator
18 to the Task Force.

19 5. The Task Force shall elect a Chairman and a Vice Chairman
20 from among its members.

21 6. The Department of Education shall provide:

22 (a) Administrative support to the Task Force; and

23 (b) All information that is necessary for the Task Force to carry
24 out its duties.

25 7. If requested by the Task Force, the Council to Establish
26 Academic Standards for Public Schools, created by NRS 389.510,
27 shall:

28 (a) Provide all information related to Nevada's academic
29 standards that is necessary for the Task Force to carry out its duties;
30 and

31 (b) Otherwise work in consultation with the Task Force in
32 carrying out the duties of the Task Force that are related to academic
33 standards.

34 8. For each day or portion of a day during which a member of
35 the Task Force who is a Legislator, attends a meeting of the Task
36 Force or is otherwise engaged in the business of the Task Force,
37 except during a regular or special session of the Legislature, he is
38 entitled to receive the:

39 (a) Compensation provided for a majority of the members of the
40 Legislature during the first 60 days of the preceding regular session;

41 (b) Per diem allowance provided for state officers and
42 employees generally; and

43 (c) Travel expenses provided pursuant to NRS 218.2207.



1 The compensation, per diem allowances and travel expenses of
2 the legislative members of the Task Force must be paid from the
3 Legislative Fund.

4 9. A member of the Task Force who is not a Legislator is
5 entitled to receive the per diem allowance and travel expenses
6 provided for state officers and employees generally for each day or
7 portion of a day during which he attends a meeting of the Task
8 Force or is otherwise engaged in the business of the Task Force. The
9 per diem allowance and travel expenses for the nonlegislative
10 members of the Task Force must be paid by the Department of
11 Education.

12 **Sec. 6.** 1. The Advisory Task Force to Review Certain
13 Academic Standards and the High School Proficiency Examination
14 created pursuant to section 5 of this act shall:

15 (a) Review the high school proficiency examination to
16 determine:

17 (1) The percentage of the academic standards for grades 9 to
18 12, inclusive, that are tested on the examination;

19 (2) The percentage of the academic standards for grades
20 kindergarten to 8, inclusive, that are tested on the examination; and

21 (3) The percentage of the academic standards for grades 9 to
22 12, inclusive, which have been assigned priority by the Council to
23 Establish Academic Standards for Public Schools that are tested on
24 the examination;

25 (b) Review the academic standards for public schools to
26 determine the percentage of the academic standards for grades 9 to
27 12, inclusive, that reflect the priorities established for those grades
28 by the Council to Establish Academic Standards for Public Schools;

29 (c) Determine if the instruction provided in grades 1 to 8,
30 inclusive, is calibrated to the academic standards established for
31 those grades by the Council to Establish Academic Standards for
32 Public Schools;

33 (d) Analyze the academic standards in reading and mathematics
34 established for this State to determine the extent to which those
35 standards compare with the standards in reading and mathematics
36 that are tested on the examinations of the National Assessment of
37 Educational Progress;

38 (e) Consider whether the Legislature should require the
39 successful completion of Algebra I, Geometry and Algebra II for
40 receipt of a standard high school diploma;

41 (f) Consider whether the State Board of Education should
42 prescribe minimum English course requirements for receipt of a
43 standard high school diploma; and

44 (g) On or before February 1, 2007, submit a written report of its
45 findings and any recommendations for legislation to the Director of



1 the Legislative Counsel Bureau for transmission to the 74th Session
2 of the Nevada Legislature.

3 2. Notwithstanding the provisions of NRS 389.017 to the
4 contrary, the Superintendent of Public Instruction shall disclose to
5 the Task Force the questions and answers on all forms of the high
6 school proficiency examination to the extent the disclosure is
7 necessary for the Task Force to carry out its duties. The disclosure
8 must be made in a manner that does not violate the confidentiality of
9 the examination.

10 3. The provisions of chapter 241 of NRS do not apply to a
11 meeting or a portion of a meeting of the Task Force to the extent
12 that it is necessary for the Task Force to maintain the confidentiality
13 of the high school proficiency examination.

14 **Sec. 7.** 1. The Department of Education shall review
15 distance education in this State and determine whether revisions to
16 the current method of financing distance education are necessary
17 and feasible. The review must include, without limitation:

18 (a) The availability of programs of distance education in this
19 State and the geographic areas where those programs are available;

20 (b) The number of pupils participating in programs of distance
21 education provided pursuant to NRS 388.820 to 388.874, inclusive;

22 (c) The number of pupils who are enrolled full time in a school
23 district or charter school and participating in a program of distance
24 education provided by another school district or charter school, and
25 the impact on the money provided both to the school district or
26 charter school in which the pupil is enrolled full time and the
27 provider of the program of distance education;

28 (d) A determination of whether the current system of financing
29 programs of distance education provides sufficient money for the:

30 (1) Providers of the programs of distance education; and

31 (2) School districts and charter schools that authorize pupils
32 to participate in programs of distance education provided by another
33 school district or charter school;

34 (e) A determination of whether alternative methods of financing
35 programs of distance education are necessary and feasible; and

36 (f) A summary of the alternative methods for financing
37 programs of distance education, if any, that the Department
38 considers necessary and feasible to ensure the availability of those
39 programs for pupils who are eligible to participate and desire to
40 participate.

41 2. The Department of Education shall submit:

42 (a) A preliminary report of its findings and recommendations to
43 the Legislative Committee on Education on or before September 1,
44 2006.



(b) A final written report of its findings and recommendations to the Director of the Legislative Counsel Bureau on or before February 1, 2007, for transmission to the 74th Session of the Nevada Legislature.

Sec. 8. 1. The Legislative Committee on Education shall include in its review of education during the 2005-2007 interim, a review of the transition of pupils from high school to postsecondary education. The review may include, without limitation:

(a) Support services available for pupils to make the transition from high school to postsecondary education, including, without limitation, an identification of support services available for particular demographic groups;

(b) The ratio of school guidance counselors available for pupils in secondary schools; and

(c) The extent to which preparation of pupils in high school for postsecondary education makes the transition more successful for those pupils.

2. The Legislative Committee on Education shall report any findings and recommendations for legislation to the 74th Session of the Nevada Legislature.

Sec. 9. This act becomes effective on July 1, 2005.



