

ASSEMBLY BILL NO. 565—COMMITTEE ON EDUCATION

MARCH 26, 2007

Referred to Concurrent Committees on
Education and Ways and Means

SUMMARY—Revises provisions governing educational finance.
(BDR 34-1371)

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; revising provisions governing the
required minimum expenditures of school districts for
certain items; making appropriations; and providing other
matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires each school district to expend a required minimum
amount of money each fiscal year, as determined by the Department of Education,
for textbooks, instructional supplies and instructional hardware. (NRS 387.206)
Section 1 of this bill provides that if a school district has purchased all the
textbooks, instructional supplies and instructional hardware that it needs for a fiscal
year, the school district may purchase library books, including instructional
materials for libraries, to satisfy the required minimum expenditure for that fiscal
year.

Existing law requires each school district to expend a certain amount of money
in each school year for library books and software for computers based upon a 3-
year average of those expenditures. (NRS 387.207) **Section 2** of this bill provides a
definition of “library books” to include instructional materials for libraries.

Under existing law, the board of trustees of each school district that employs a
speech pathologist who is licensed and certified by certain boards and associations
is required to add 5 percent to the salary of the speech pathologist. (NRS 391.160)
Section 3 of this bill makes an appropriation to assist the school districts with
paying the 5 percent increase.

Section 4 of this bill makes an appropriation for distribution as grants to school
districts that establish a pilot program for programs of alternative education for
disruptive pupils.



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

Section 1. NRS 387.206 is hereby amended to read as follows:

387.206 1. On or before July 1 of each year, the Department, in consultation with the Budget Division of the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau, shall develop or revise, as applicable, a formula for determining the minimum amount of money that each school district is required to expend each fiscal year for textbooks, instructional supplies and instructional hardware. The formula must be used only to develop expenditure requirements and must not be used to alter the distribution of money for basic support to school districts.

2. Upon approval of the formula pursuant to subsection 1, the Department shall provide written notice to each school district within the first 30 days of each fiscal year that sets forth the required minimum combined amount of money that the school district must expend for textbooks, instructional supplies and instructional hardware for that fiscal year. *If a school district has purchased all the textbooks, instructional supplies and instructional hardware that it needs for that fiscal year, the school district may expend money for library books to satisfy the required minimum amount of money set forth in the notice to the school district.*

3. On or before January 1 of each year, the Department shall determine whether each school district has expended, during the immediately preceding fiscal year, the required minimum amount of money set forth in the notice provided pursuant to subsection 2. In making this determination, the Department shall use the report submitted by the school district pursuant to NRS 387.303.

4. Except as otherwise provided in subsection 5, if the Department determines that a school district has not expended the required minimum amount of money set forth in the notice provided pursuant to subsection 2, a reduction must be made from the basic support allocation otherwise payable to that school district in an amount that is equal to the difference between the actual combined expenditure for textbooks, instructional supplies and instructional hardware and the minimum required combined expenditure set forth in the notice provided pursuant to subsection 2. A reduction in the amount of the basic support allocation pursuant to this subsection:

(a) Does not reduce the amount that the school district is required to expend on textbooks, instructional supplies and instructional hardware in the current fiscal year; and

(b) Must not exceed the amount of basic support that was provided to the school district for the fiscal year in which the minimum expenditure amount was not satisfied.



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5. If the actual enrollment of pupils in a school district is less than the enrollment included in the projections used in the school district's biennial budget submitted pursuant to NRS 387.303, the required expenditure for textbooks, instructional supplies and instructional hardware pursuant to this section must be reduced proportionately.

6. As used in this section, "library books" includes, without limitation, instructional materials for libraries.

Sec. 2. NRS 387.207 is hereby amended to read as follows:

387.207 1. Except as otherwise provided in this section, in each school year a school district shall spend for library books and software for computers an amount of money, expressed as an amount per pupil, that is at least equal to the average of the total amount of money that was expended per year by the school district for those items in the immediately preceding 3 years.

2. Except as otherwise provided in this section, in each school year a school district shall spend for the purchase of equipment relating to instruction, including, without limitation, equipment for telecommunications and for the purchase of equipment relating to the transportation of pupils, an amount of money, expressed as an amount per pupil, that is at least equal to the average of the total amount of money that was expended per year by the school district for those items in the immediately preceding 3 years.

3. Except as otherwise provided in this section, in each school year a school district shall spend for the maintenance and repair of equipment, vehicles, and buildings and facilities an amount of money, expressed as an amount per pupil, that is at least equal to the average of the total amount of money that was expended per year by the school district for those items in the immediately preceding 3 years, excluding any amount of money derived from the proceeds of bonds.

4. A school district may satisfy the expenditures required by subsections 1, 2 and 3 if the school district spends an aggregate amount of money for all the items identified in those subsections that is at least equal to the average of the total amount of money expended by the school district per year for all those items in the immediately preceding 3 years.

5. A school district is not required to satisfy the expenditures required by this section for a school year in which:

(a) The total number of pupils who are enrolled in public schools within the school district has declined from the immediately preceding school year; or

(b) The total revenue available in the general fund of the school district has declined from the immediately preceding school year.



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1 **6. As used in this section, "library books" includes, without**
2 **limitation, instructional materials for libraries.**

3 **Sec. 3.** 1. There is hereby appropriated from the State
4 General Fund to the Department of Education for a 5-percent
5 increase to the salary of certain speech pathologists:

6 For the Fiscal Year 2007-2008.....\$597,268

7 For the Fiscal Year 2008-2009.....\$706,444

8 2. The Department shall distribute the money appropriated to
9 the school districts to assist the school districts with paying the 5-
10 percent increase to the salary of certain speech pathologists pursuant
11 to subsection 3 of NRS 391.160. If the money from the
12 appropriation is insufficient to pay the total costs of the increase, the
13 school district shall pay the difference.

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

24 **Sec. 4.** 1. There is hereby appropriated from the State
25 General Fund to the Department of Education for pilot programs for
26 alternative programs of education for disruptive pupils established
27 pursuant to this section:

28 For the Fiscal Year 2007-2008 \$500,000

29 For the Fiscal Year 2008-2009 \$500,000

30 2. The Superintendent of Public Instruction shall prescribe:

31 (a) The form for an application to establish a pilot program for
32 an alternative program of education for disruptive pupils; and

33 (b) Criteria for the selection of schools to establish such a pilot
34 program.

35 3. A public school in this State may submit an application to
36 the Department to establish a pilot program pursuant to this section.
37 Such an application must include an estimate of the costs of
38 establishing a program. If a school is selected to establish a pilot
39 program, the school will receive a grant of money from the
40 appropriation made by subsection 1 to carry out a program in an
41 amount based upon the estimated costs of establishing the program.

42 4. A pilot program established pursuant to this section must:

43 (a) Comply with NRS 392.4642 to 392.4648, inclusive;

44 (b) Be provided in a setting outside the regular classroom of the
45 pupil;



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(c) Ensure that pupils who are participating in the program are separated from pupils who are not participating in the program;

(d) Provide supervision of and counseling to pupils who participate in the program;

(e) Provide and emphasize instruction in English language arts, mathematics, science and history, as appropriate to the grade level of the pupils participating in the program;

(f) Provide and emphasize training in self-discipline;

(g) Provide for a transitional stage between in-school or in-home suspension and regular school activities; and

(h) Include an evaluation phase based on the collection of data to measure the effectiveness of the program.

5. A pilot program established pursuant to this section may:

(a) Be located on the grounds of the school or at another location.

(b) Include programs that:

(1) Use innovative instructional, counseling or disciplinary concepts.

(2) Encourage the effective involvement of the parents and legal guardians of pupils who are participating in the program.

(c) Provide instructional and other services to pupils through the existing staff at a public school or from other personnel, or any combination thereof.

6. On or before October 1, 2008, the schools that establish a pilot program pursuant to this section shall submit a report to the Department for the period ending September 1, 2008, that includes:

(a) The manner in which the pilot program was carried out;

(b) The number of pupils who participated in the program;

(c) The expenditures made by the school for the program;

(d) The number of disciplinary referrals, suspensions and expulsions that occurred at the school before and after the establishment of the program; and

(e) An analysis of the academic achievement and performance of the pupils before and after the pupils participated in the program.

7. The Department shall evaluate the effectiveness of the pilot programs established pursuant to this section based on the reports submitted by the schools pursuant to subsection 6. In addition, the Department shall solicit and analyze data from schools that did not establish pilot programs pursuant to this section but have established alternative programs of education for disruptive pupils. The Department may spend not more than \$10,000 of the amount appropriated by subsection 1 during the Fiscal Years 2007-2009 to hire a contractor to assist with the evaluation.



1 8. On or before December 1, 2008, the Department shall
2 submit a report of its findings to the Legislative Committee on
3 Education.

4 9. On or before February 1, 2009, the Department shall submit
5 a final report of its findings to the Director of the Legislative
6 Counsel Bureau for transmission to the 75th Session of the Nevada
7 Legislature.

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

18 **Sec. 5.** This act becomes effective on July 1, 2007.

