

SENATE BILL NO. 305—SENATOR WASHINGTON

MARCH 19, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Makes an appropriation to the Department of Education for educational programs and assistance for school districts and public schools. (BDR S-97)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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.

AN ACT relating to education; making an appropriation to the Department of Education for certain educational programs and assistance for school districts and public schools; 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.** 1. There is hereby appropriated from the State  
2     General Fund to the Department of Education for grants of money to  
3     school districts and charter schools pursuant to this section:  
4         For the 2007-2008 Fiscal Year..... \$98,192,418  
5         For the 2008-2009 Fiscal Year..... \$102,540,017  
6     2. Except as otherwise provided in subsection 6, the  
7     Department shall allocate the money appropriated by subsection 1 as  
8     follows:  
9         (a) For programs of full-day kindergarten established in  
10     accordance with section 2 of this act:  
11             (1) For the Fiscal Year 2007-2008..... \$26,274,725  
12             (2) For the Fiscal Year 2008-2009..... \$27,879,334  
13         (b) For programs of performance pay and enhanced  
14     compensation for licensed educational personnel established in  
15     accordance with section 3 of this act:  
16             (1) For the Fiscal Year 2007-2008..... \$29,665,947  
17             (2) For the Fiscal Year 2008-2009..... \$31,070,767



(c) For the Account for Programs for Innovation and the Prevention of Remediation created by NRS 385.379:

(1) For the Fiscal Year 2007-2008..... \$42,251,746

(2) For the Fiscal Year 2008-2009..... \$43,589,916

3. The board of trustees of a school district may, based upon requests submitted by the principals of the public schools located within the school district, submit an application for a grant of money from the appropriation made by subsection 1 to the Department. The governing body of a charter school may submit an application for a grant of money from the appropriation made by subsection 1 to the Department. The application must be on a form prescribed by the Department. The Department may use the form prescribed pursuant to NRS 385.3785 for applications for a grant of money for a program of innovation or the prevention of remediation. The form prescribed by the Department must include, without limitation:

(a) The amount of money requested and the intended use of the money, which must be based on practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils and include one or more of the following:

(1) A program of full-day kindergarten established in accordance with section 2 of this act;

(2) A program of performance pay and enhanced compensation for licensed educational personnel established in accordance with section 3 of this act;

(3) Programs that incorporate educational technology;

(4) Programs of peer mediation;

(5) The program used by the Geographic Alliance in Nevada;

(6) Programs for the certification of counselors offered in this State or offered by a national certification agency;

(7) Assistance for the support teams established pursuant to NRS 385.3721 for non-Title I schools, including, without limitation, to pay for substitute teachers as necessary for the teachers at the school who serve on the support team to carry out the duties and responsibilities of the support team;

(8) Programs of career and technical education;

(9) A program of empowerment schools which is designed to provide schools with site-based decision making; and

(10) Programs for innovation and the prevention of remediation that use programs, practices and strategies that have been proven effective in improving the academic achievement and proficiency of pupils.

(b) A prioritized list of the schools and programs or assistance, as applicable, for which the school district is requesting a grant of money.



(c) A prioritized list of the programs or assistance, as applicable, for which the charter school is requesting a grant of money.

4. The Department shall transmit all applications received for a program described in subparagraphs (3) to (10), inclusive, of paragraph (a) of subsection 3 to the Commission on Educational Excellence for its review. If the application is for a program of innovation or the prevention of remediation, the Commission shall review the application in accordance with NRS 385.3785. If the application is for another type of program or assistance pursuant to subparagraphs (3) to (9), inclusive, of paragraph (a) of subsection 3, the Commission shall, to the extent practicable, review the application in accordance with NRS 385.3785.

5. Except as otherwise provided in subsection 6, on or before August 15 of each fiscal year of the 2007-2009 biennium, the Department and the Commission on Educational Excellence, as applicable, shall provide grants of money to school districts and charter schools with approved applications based upon the amount of money that is necessary to carry out the educational programs or assistance, as set forth in the application of the school district or charter school. If an insufficient amount of money is available to pay for the total amount requested in each application, the money from the appropriation must be distributed in a fair and equitable manner among the school districts and charter schools with approved applications based upon the prioritized list submitted by each school district and charter school pursuant to subsection 3.

6. After the grants are made pursuant to subsection 5, if money remains for a particular allocation for a fiscal year pursuant to paragraph (a), (b) or (c) of subsection 2, the Department may reallocate the remaining money in that fiscal year in a fair and equitable manner to school districts and charter schools with approved applications.

7. The board of trustees of a school district and the governing body of a charter school that receive a grant of money pursuant to this section shall not use the money for the construction or maintenance of buildings or facilities.

8. The Commission on Educational Excellence shall ensure, to the extent practicable, that grants of money provided for a program of empowerment schools:

(a) Reflect the economic and geographic diversity of this State, the academic needs of pupils, any special academic interests of pupils and any other special concerns of pupils, including, without limitation, schools that have a large population of Native Americans.



(b) Are allocated to at least one school in each school district that applies for a grant of money for the support of a program of empowerment schools.

9. The board of trustees of each school district and the governing body of each charter school that receives a grant of money pursuant to this section shall, on or before February 1, 2009, submit a written report to the Department of Education, the Governor and the Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature. The report must include, without limitation:

(a) The name of each school that received an allocation from the grant and the amount of each allocation;

(b) The program or other assistance for which each school expended the money; and

(c) An evaluation of the program or other assistance for which each school expended the money, including, without limitation, the effectiveness of the program or assistance on the achievement of pupils enrolled in the school.

10. If a grant of money is made pursuant to this section for a program of empowerment schools, the Department of Education:

(a) Shall develop a uniform method for the evaluation of the program of empowerment schools and the progress of empowerment schools in a manner that provides a statistical analysis of longitudinal data.

(b) Shall conduct an evaluation using measurable outcomes and indicators to assess the achievement of pupils enrolled in empowerment schools.

(c) May conduct such other evaluations, surveys or studies deemed necessary to evaluate the programs of empowerment schools and the progress of empowerment schools.

(d) Shall submit a written report of the results of the evaluation and any other surveys or studies conducted pursuant to this subsection on or before February 1, 2009, to the Governor and the Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature.

11. 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. 2.** 1. A school district or charter school that applies for a grant of money pursuant to section 1 of this act may use the money to provide full-day kindergarten in each school within the school district that is prioritized for full-day kindergarten based upon the percentage of pupils enrolled in the school who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq. If a school district chooses to use the money that it receives pursuant to section 1 of this act to provide full-day kindergarten, the school district shall allocate the money by assigning first priority to those schools within the school district that have the highest percentage of pupils who are eligible for free or reduced-price lunches. If a school within a school district or a charter school provides full-day kindergarten with money that it receives from the Federal Government or other funding allocations, the school may redirect that money, to the extent authorized by applicable federal law, for other programs of remediation at the school and use the money provided pursuant to section 1 of this act to provide full-day kindergarten.

2. A school that is otherwise eligible to provide full-day kindergarten pursuant to subsection 1 may elect not to provide full-day kindergarten.

3. A parent or legal guardian of a pupil who is otherwise zoned to attend a public school that provides full-day kindergarten pursuant to this section may request that the pupil not be enrolled in full-day kindergarten. The school district in which the pupil is enrolled shall grant the request and ensure that the pupil is allowed to attend kindergarten, whether at the zoned school or another school, for less than a full school day.

**Sec. 3.** A school district or charter school that applies for a grant of money pursuant to section 1 of this act may use the money to provide a program of performance pay and enhanced compensation for the recruitment, retention and mentoring of licensed educational personnel negotiated pursuant to chapter 288 of NRS or NRS 386.595, as applicable, which includes one or more of the following components:

1. Skills-based pay pursuant to which licensed employees develop certain skills verified through licensure, certification or some other method.

2. A "career ladder" program, pursuant to which licensed employees who perform at or above specified standards receive an increase in compensation. Each step requires additional growth, professional development, expertise and additional responsibilities, including, without limitation, mentoring.

3. A program for mentoring of teachers which provides for the payment of increased compensation for mentor teachers and which



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1 includes criteria for the selection of mentor teachers and teachers  
2 who will be mentored.

3 4. Market-based pay, pursuant to which one-time bonuses are  
4 paid to retain licensed employees who provide instruction in high-  
5 need subject areas such as mathematics, science and special  
6 education and to retain licensed employees who teach in at-risk  
7 schools.

8 5. The payment of signing bonuses and other financial  
9 incentives for licensed employees who:

10 (a) Are newly hired by the school district or charter school and  
11 have been employed by the school district or charter school for at  
12 least 30 days; and

13 (b) Have not been previously employed by a school district or  
14 charter school in this State.

15 6. The payment of bonuses to licensed employees based upon  
16 the attainment of specified standards of achievement by pupils.

17 7. The payment of the cost for a licensed teacher to purchase  
18 one-fifth of a year of service if:

19 (a) The teacher is employed at a school at which at least 65  
20 percent of the pupils who are enrolled in the school are children who  
21 are at risk;

22 (b) The teacher is employed at a school which carries the  
23 designation of demonstrating need for improvement; or

24 (c) The teacher holds an endorsement in the field of  
25 mathematics, science, special education or English as a second  
26 language.

27 **Sec. 4.** This act becomes effective on July 1, 2007.

