

Amendment No. 1093

Assembly Amendment to Assembly Bill No. 280 (BDR S-1051)

Proposed by: Assembly Committee on Ways and Means**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

KCR



Date: 6/1/2007

A.B. No. 280—Makes appropriations relating to education and licensed educational personnel. (BDR S-1051)



ASSEMBLY BILL NO. 280—ASSEMBLYMEN SMITH, BUCKLEY, HORNE, ANDERSON, PARNELL, ATKINSON, BEERS, BOBZIEN, CLABORN, CONKLIN, GERHARDT, HARDY, HOGAN, KIHUEN, KIRKPATRICK, KOIVISTO, LESLIE, MANENDO, MORTENSON, MUNFORD, OCEGUERA, OHRENSCHALL, PARKS, PIERCE, SEGERBLOM AND WOMACK

MARCH 9, 2007

JOINT SPONSORS: SENATORS COFFIN AND MATHEWS

Referred to Concurrent Committees on
Education and Ways and Means

SUMMARY—~~{Makes appropriations relating to education and}~~ **Revises provisions governing** licensed educational personnel. (BDR ~~{S 1051}~~ **34-1051**)

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 ~~{making appropriations to the State Distributive School Account to provide a salary increase to teachers and to provide certain days in each school year and to the Department of Education for distribution of grants of money for programs of performance pay for licensed educational personnel}~~ **relating to education; creating the Pay-for-Performance Fund in the State Treasury; prescribing the requirements for distribution of grants of money from the Fund to school districts that adopt a program of performance pay and compensation for the enhanced recruitment and retention of licensed educational personnel; making an appropriation; and providing other matters properly relating thereto.**

Legislative Counsel Digest:

Section 1.5 of this bill creates the Pay-for-Performance Fund in the State Treasury. Section 1.5 also provides that, within the limits of money available in the Fund, the board of trustees of a school district may submit an application for a grant of money from the Fund to provide a program of performance pay and compensation for the enhanced recruitment and retention of licensed educational personnel.

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 State Distributive School Account the following sums:~~

~~For the Fiscal Year 2007-2008\$62,631,119~~

~~For the Fiscal Year 2008-2009\$68,010,158~~

~~2. The money appropriated by subsection 1 must be used to:~~

~~(a) Provide a salary increase of \$2,000 to each licensed teacher in this State;~~

~~(b) Provide 2 days designated for parent teacher conferences for the 2007-2008 school year and 2 days designated for parent teacher conferences for the 2008-2009 school year;~~

~~(c) Provide 1 instructional day to the 2007-2008 school year and 1 instructional day to the 2008-2009 school year that is in addition to the 180 days otherwise required by NRS 388.090; and~~

~~(d) Provide 1 day for the professional development of teachers for the 2007-2008 school year and 1 day for the professional development of teachers for the 2008-2009 school year.~~

~~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.] (Deleted by amendment.)~~

Sec. 1.5. Chapter 391 of NRS is hereby amended by adding thereto a new section to read as follows:

1. There is hereby created in the State Treasury a Pay-for-Performance Fund to be administered by the Department. The Department may accept gifts, grants and donations from any source for deposit in the Fund.

2. Within the limits of available money in the Pay-for-Performance Fund, the Department shall provide grants of money to school districts based upon the number of pupils enrolled in each school district. Each school district shall use the money to provide a program of performance pay and compensation for the enhanced recruitment and retention of licensed educational personnel employed by the school district.

3. Any interest and income earned on the sum of:

(a) The money in the Pay-for-Performance Fund; and

(b) Unexpended appropriations made to the Pay-for-Performance Fund from the State General Fund,

must be credited to the Pay-for-Performance Fund.

4. The money remaining in the Pay-for-Performance Fund at the end of any fiscal year does not revert to the State General Fund and must be carried forward to the next fiscal year.

Sec. 2. 1. There is hereby appropriated from the State General Fund to the ~~[Department of Education for the Fiscal Year 2008-2009 the sum of \$30,000,000 for grants of money to school districts that adopt]~~ **Pay-for-Performance Fund created by section 1.5 of this act for the Clark County School District, Lyon County School District and Washoe County School District to carry out a pilot**

program of performance pay and ~~enhanced~~ compensation for the **enhanced** recruitment and retention of licensed educational personnel ~~++~~ :

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

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

2. To receive a grant of money, the ~~board of trustees of a school district may~~ **Board of Trustees of the Clark County School District, the Board of Trustees of the Lyon County School District and the Board of Trustees of the Washoe County School District shall each** submit an application to the Department of Education that sets forth ~~the~~ **a pilot** program of performance pay and ~~enhanced~~ compensation for the **enhanced** recruitment and retention of licensed educational personnel adopted by the school district and negotiated pursuant to chapter 288 of NRS. **Each application must be submitted on or before March 1, 2008.** The **pilot** program must include a component that is based upon the achievement of pupils. **Each pilot program must be developed in consultation with an advisory board established by the school district which consists of, without limitation:**

- (a) Representatives of businesses;
- (b) Parents of pupils enrolled in the school district;
- (c) Licensed educational personnel; and
- (d) Other persons and representatives as the board of trustees determines appropriate.

↪ The total number of licensed educational personnel on the advisory board must not exceed the total number of other members on the advisory board.

3. ~~{To the extent that money is available from the appropriation made by subsection 1, the Department of Education shall provide grants of money to school districts with approved applications based upon the amount of money that is necessary to carry out each program. If an insufficient amount of money is available to pay for each program, the money from the appropriation must be distributed} The Department of Education shall distribute the money appropriated by subsection 1 among the three school districts pro rata based upon the number of pupils enrolled in each school district . {whose application is approved}~~

4. The board of trustees of each school district that receives a grant of money pursuant to this section shall evaluate the effectiveness of the **pilot** program for which the grant of money was awarded. The evaluation must include, without limitation, an evaluation of whether the **pilot** program is effective in recruiting and retaining qualified licensed educational personnel. On or before February 1, 2009, the board of trustees of each school district shall submit a report of its evaluation and any recommendations to the:

- (a) State Board of Education; and
- (b) Director of the Legislative Counsel Bureau for transmittal to the 75th Session of the Nevada Legislature.

5. 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.~~ **reverted to the State General Fund and must remain in the Pay-for-Performance Fund created by section 1.5 of this act.**

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