

Amendment No. 420

Senate Amendment to Senate Bill No. 238

(BDR 34-112)

Proposed by: Senate Committee on Human Resources and Education**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will REMOVE all appropriations from S.B. 238.

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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.

SLP/KCR



Date: 4/18/2007

S.B. No. 238—Provides for a program of empowerment schools. (BDR 34-112)



SENATE BILL NO. 238—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

MARCH 7, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Provides for a program of empowerment schools. (BDR 34-112)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in
Executive Budget.

~

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

AN ACT relating to education; ~~authorizing the boards of trustees of school districts to establish~~ **establishing** a program of empowerment schools for the public schools ~~of the school district;~~ **in this State**; authorizing public schools to develop empowerment plans; prescribing the process for the approval of empowerment plans by the **State Board of Education and the** boards of trustees of school districts; ~~making appropriations;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill **establishes a program of empowerment schools for public schools within this State. Section 3 also** authorizes each board of trustees of a school district to create a design team for the school district ~~(and to establish a program of empowerment schools.)~~ **to advise the board of trustees on empowerment schools. Section 4** of this bill ~~sets forth the criteria for a program of~~ **provides for the establishment of policies and procedures for schools that wish to convert to** empowerment schools.

Sections 5 and 6 of this bill address the requirements for a school to convert to an empowerment school, including the establishment of an empowerment team and the development of an empowerment plan. The principal of a public school located in a county whose population is 5,000 or less is not required to establish an empowerment team. ~~(The)~~ **Sections 6.3 and 6.5 of this bill require the** empowerment plan of a school ~~(must)~~ **to be** approved by the board of trustees of the school district **or, if the school is a charter school that is sponsored by the State Board of Education, the State Board,** before the school can operate as an empowerment school.

~~Section 9 of this bill requires the Department of Education to develop a uniform method for evaluating the programs of empowerment schools and to report those findings on an annual basis.~~

~~Sections 11 and 12 of this bill make an appropriation to the Department of Education to provide assistance to the school districts in developing programs of empowerment schools.~~

~~During the 2006-2007 school year, Clark County School District authorized four schools to operate as empowerment schools. Section 12 of this bill makes an appropriation for the support of those four empowerment schools to continue during the 2007-2008 school year.~~

~~Sections 14 and 15 of this bill make an appropriation for the support of empowerment schools during the 2008-2009 school year. School districts may submit applications to the Department of Education for a grant of money.~~

~~Section 16 of this bill requires the Superintendent of Public Instruction to hire a coordinator for the programs of empowerment schools and appropriates money for that position.~~

~~Section 18 of this bill requires the Department of Education to submit to the Governor and the Legislature a report of the status of the programs of empowerment schools.~~

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

Section 1. Chapter 386 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

Sec. 2. *As used in sections 2 to 10, inclusive, of this act, unless the context otherwise requires, "empowerment school" means a public school operating under an empowerment plan developed ~~and approved~~ pursuant to section 6 of this act ~~and approved pursuant to section 6.3 or 6.5 of this act, as applicable.~~*

Sec. 3. 1. ~~The board of trustees of a school district may establish~~ *There is hereby established a program of empowerment schools for ~~the~~ public schools ~~of the school district~~ within this State. The program ~~must~~ does not include ~~a charter school or~~ a university school for profoundly gifted pupils.*

2. *Except as otherwise provided in this subsection, the board of trustees of a school district which is located:*

(a) In a county whose population is less than 100,000 may approve public schools located within the school district to operate as empowerment schools.

(b) In a county whose population is 100,000 or more shall approve not less than 5 percent of the schools located within the school district to operate as empowerment schools.

3. The total number of schools which operate as empowerment schools in this State must not exceed 100 schools. The Department shall adopt procedures to ensure compliance with the provisions of this subsection.

3. ~~If the~~ *The board of trustees of a school district which participates in the program of empowerment schools shall, on or before September 1 of each year, provide notice to the Department of the number of schools within the school district that are approved to operate as empowerment schools for that school year.*

4. *The board of trustees of a school district ~~wishes to establish a~~ that participates in the program of empowerment schools ~~, the board of trustees shall~~ may create a design team for the school district. ~~The~~ If such a design team is created, the membership of ~~each~~ the design team must consist of the following persons appointed by the board of trustees:*

(a) At least one representative of the board of trustees;

(b) The superintendent of the school district, or his designee;

(c) Parents and legal guardians of pupils enrolled in public schools in the school district;

(d) Teachers and other educational personnel employed by the school district, including, without limitation, school administrators;

(e) Representatives of organizations that represent teachers and other educational personnel;

(f) Representatives of the community in which the school district is located and representatives of businesses within the community; and

(g) Such other members as the board of trustees determines are necessary.

~~3. The~~

5. *If a design team is created for a school district, the design team shall:*

(a) Recommend ~~the program of~~ policies and procedures relating to empowerment schools to the board of trustees of the school district; and

(b) Advise the board of trustees on issues relating to ~~the program of~~ empowerment schools.

~~4.6.~~ 6. The board of trustees of a school district may accept gifts, grants and donations from any source for the support of ~~its program of~~ the empowerment schools ~~within the school districts.~~

Sec. 4. 1. ~~The board of trustees of a school district that participates in the program of empowerment schools may establish policies and procedures for public schools within the school district that wish to convert to empowerment schools which may provide for:~~

(a) The process by which a public school may convert to an empowerment school, including, without limitation, the development ~~and approval~~ of an empowerment plan for the school in accordance with section 6 of this act;

(b) Autonomy for the principal of each empowerment school to decide issues relating to the operation of the school, including, without limitation, the school schedule, governance, incentives for employees, staffing, budgeting and the provision of instruction;

~~(c) Accountability measures designed to ensure that pupils enrolled in an empowerment school are achieving certain goals and standards relating to academic achievement;~~

~~(d) A method for allocating money to each empowerment school;~~

~~(e) An evaluation of the program of empowerment schools, including, without limitation, an evaluation of each empowerment school within the school district;~~

~~(f) The opportunity for empowerment schools within the school district to offer an alternative schedule, including, without limitation, a longer school day or a longer school year, or both, and to offer school during the summer;~~

~~(g) The process for the selection of empowerment schools and the approval of empowerment plans for those schools;~~

~~(h) The process for renewal of empowerment plans;~~

~~(i) The criteria for revocation of an empowerment plan for a school and the procedure for revocation;~~

~~(j) The time period for which empowerment plans will be approved; and~~

~~(k) (d) Other matters as deemed necessary by the board of trustees of a school district.~~

2. ~~In addition to the requirements of subsection 1, a program of empowerment schools for a~~ The board of trustees of a school district that participates in the program of empowerment schools shall adopt policies and procedures which provide for:

(a) Accountability measures designed to ensure that pupils enrolled in an empowerment school are achieving certain goals and standards relating to academic achievement;

(b) The process for the selection of empowerment schools and the approval of empowerment plans for those schools;

(c) The process for renewal of empowerment plans;

(d) The criteria for revocation of an empowerment plan for a school and the procedure for revocation; and

(e) The time period for which empowerment plans will be approved.

3. A school district that participates in the program of empowerment schools ~~school district located~~

~~(a) In a county whose population is 100,000 or more, must, shall provide school choice, a process for pupils, a pupil who resides in the school district to attend empowerment schools;~~

(a) An empowerment school regardless of the school which the pupil is otherwise zoned to attend.

~~(b) In a county whose population is less than 100,000, may provide school choice for pupils who reside in the school district to attend empowerment schools regardless of the school which the pupils are otherwise zoned to attend. A school that is not an empowerment school if the pupil is zoned to attend a school that converts to an empowerment school.~~

The board of trustees of a school district must comply with the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., when establishing provisions relating to school choice pursuant to this subsection.

~~3. If a school district provides school choice as part of its program of empowerment schools, the~~

4. An empowerment school shall:

(a) Enroll first the pupils who are zoned to attend that school.

(b) After the enrollment of pupils pursuant to paragraph (a), if the school has space available, enroll pupils who are not otherwise zoned to attend the school on the basis of a lottery system.

5. A school district is not required to provide transportation to a pupil who attends a public school which the pupil is not otherwise zoned to attend.

~~4. 6. A program of empowerment schools may include~~ school district that participates in the program of empowerment schools shall provide a procedure for an empowerment school to obtain a waiver from the requirements and regulations of the board of trustees of the school district. The board of trustees may not waive:

(a) The requirements of a state or federal law or regulation.

(b) A policy or requirement relating to safety, including, without limitation, hiring security personnel and following procedures designed to ensure the safety of the school, the personnel employed at the school and the pupils.

Sec. 5. 1. Except as otherwise provided in subsection 2, if a school district has established a program of empowerment schools and the principal of a public school within the a school district that participates in the program of empowerment schools who wishes to participate in the program, the principal convert to an empowerment school shall:

(a) Establish an empowerment team for the school; and

(b) Develop an empowerment plan for the school in consultation with:

(1) The empowerment team; and

(2) The school support team, if a school support team has been established for the school pursuant to NRS 385.3721.

2. The principal of a public school located in a county whose population is 5,000 or less may develop an empowerment plan for the school without establishing or consulting with an empowerment team. If a school support team has been established for the school, the principal shall develop the empowerment plan in consultation with the school support team.

3. An empowerment team for a school must consist of the following persons:

(a) The principal of the school;

(b) ~~Teachers~~ At least two but not more than four teachers and other licensed educational personnel who are employed at the school ~~and~~, selected by a recognized employee organization that represents licensed educational personnel within the school district;

(c) ~~[Other]~~ At least two but not more than four employees, other than teachers and other licensed educational personnel, who are employed at the school ~~[[~~, selected by an organization that represents those employees;

(d) ~~[Parents]~~ At least two but not more than four parents and legal guardians of pupils enrolled in the school ~~[[~~, selected by an association of parents established for the school;

(e) ~~[Representatives]~~ At least two but not more than four representatives of the community or ~~in which the school is located and representatives of~~ businesses within the community;

(f) The facilitator of the school support team, if a school support team has been established for the school pursuant to NRS 385.3721; and

(g) ~~[Persons who are otherwise affiliated with the school as determined necessary by the principal.]~~ Such other persons as may be necessary to meet the requirements set forth in subsection 4.

4. Of the total number of members on an empowerment team for a school:

(a) At least one member must have 5 years or more of experience in school finance;

(b) At least one member must have 5 years or more of experience in school administration or human resources;

(c) At least one member must have 5 years or more of experience in overseeing the academic programs and curriculum for a public school; and

(d) At least one member must have 5 years or more of experience in the collection and analysis of data.

↳ The provisions of this subsection do not require the appointment of four persons if one, two or three such persons satisfy the qualifications.

5. A charter school that wishes to participate in the program of empowerment schools shall comply with the provisions of sections 2 to 10, inclusive, of this act. If a charter school is approved as an empowerment school, the charter school does not forfeit its status as a charter school.

Sec. 5.5. An empowerment team for a school shall:

1. Select, from among its members, a Chairman and a Vice Chairman.

2. Assist the principal in the development of the empowerment plan for the school.

3. Assist in the development of the proposed budget for the school and provide ongoing advice to the principal concerning the expenditure of money apportioned to the school.

4. Provide continued oversight of the school and assist in the management decisions for the school.

Sec. 6. 1. Each empowerment plan for a school must:

(a) Set forth the manner by which the school will be governed;

(b) Set forth the proposed budget for the school, including without limitation, the cost of carrying out the empowerment plan, and the manner by which the ~~(budget)~~ money apportioned to the school will be administered;

(c) If a school support team has been established for the school pursuant to NRS 385.3721, require the principal and the empowerment team for the school to work in consultation with the school support team;

(d) Prescribe the academic plan for the school, including, without limitation, the manner by which courses of study will be provided to the pupils enrolled in the school and any special programs that will be offered for pupils;

(e) Prescribe the manner by which the achievement of pupils will be measured and reported for the school, including, without limitation, the results of the pupils on the examinations administered pursuant to NRS 389.015 and 389.550;

(f) Prescribe the manner by which teachers and other licensed educational personnel will be selected and hired for the school ~~that~~, which must be determined and negotiated pursuant to chapter 288 of NRS;

(g) Prescribe the manner by which all other staff for the school will be selected and hired ~~that~~, which must be determined and negotiated pursuant to chapter 288 of NRS;

(h) Indicate whether the empowerment plan will offer an incentive pay structure for staff and a description of that pay structure, if applicable;

(i) Indicate the intended ratio of pupils to teachers at the school, designated by grade level, which must comply with NRS 388.700 or 388.720, as applicable;

(j) Provide a description of the professional development that will be offered to the teachers and other licensed educational personnel employed at the school;

(k) Prescribe the manner by which the empowerment plan will increase the involvement of parents and legal guardians of pupils enrolled in the school;

(l) Comply with the plan to improve the achievement of the pupils enrolled in the school prepared pursuant to NRS 385.357;

(m) Address the specific educational needs and concerns of the pupils who are enrolled in the school; and

(n) Set forth the calendar and schedule for the school.

2. If the empowerment plan includes an incentive pay structure, that pay structure must:

(a) Provide an incentive for all staff employed at the school;

(b) Set forth the standards that must be achieved by the pupils enrolled in the school and any other measurable objectives that must be met to be eligible for incentive pay; and

(c) Be in addition to the salary or hourly rate of pay negotiated pursuant to chapter 288 of NRS that is otherwise payable to the employee.

~~3. The principal of the school shall submit the proposed empowerment plan to the superintendent of the school district, or his designee. The superintendent, or his designee, shall assist the principal to ensure that the proposed empowerment plan complies with the program of empowerment schools established by the board of trustees pursuant to section 3 of this act. The superintendent, or his designee, shall provide preliminary approval of each proposed empowerment plan that complies with the program of the school district and forward each proposed empowerment plan to the board of trustees of the school district for final approval.~~

~~4. The board of trustees of a school district shall provide final approval of an empowerment plan submitted pursuant to subsection 3 if the plan complies with the program of empowerment schools of the school district and any regulations adopted by the State Board pursuant to section 10 of this act. If the board of trustees approves the empowerment plan, the president of the board of trustees and the principal shall sign the plan and indicate on the plan the period of time for which the plan is effective. If the board of trustees denies an empowerment plan for deficiencies, the board of trustees shall:~~

~~(a) Return the plan to the principal with a written statement indicating the reason for the denial; and~~

~~(b) Provide the principal with a reasonable opportunity to correct any deficiencies identified in the written statement and resubmit it for approval. An empowerment plan may be resubmitted not more than once in a school year.~~

~~5. An empowerment plan is not effective and a public school shall not operate as an empowerment school unless the plan is signed by the president of the board of trustees of the school district and the principal of the school.~~

~~6. The empowerment team for an empowerment school or the principal of an empowerment school located in a county whose population is 5,000 or less may submit a written request to the board of trustees of the school district for an amendment to the empowerment plan approved pursuant to this section, including an explanation of the reason for the request. An empowerment plan may:~~

~~(a) Request a waiver from a statute contained in this title or a regulation of the State Board or the Department.~~

~~(b) Identify the services of the school district which the school wishes to receive, including, without limitation, professional development, transportation, food services and discretionary services. Upon approval of the empowerment plan, the school district may deduct from the total apportionment to the empowerment school the costs of such services.~~

~~4. For purposes of determining the budget pursuant to paragraph (b) of subsection 1, if a public school which converts to an empowerment school is a:~~

~~(a) Charter school, the amount of the budget is the amount equal to the apportionments and allowances from the State Distributive School Account pursuant to NRS 387.121 to 387.126, inclusive, and its proportionate share of any other money available from federal, state or local sources that the school or the pupils enrolled in the school are eligible to receive.~~

~~(b) Public school, other than a charter school, the empowerment team for the school shall have discretion of 90 percent of the amount of money from the state financial aid and local funds that the school district apportions for the school, without regard to any line-item specifications or specific uses determined advisable by the school district, unless the empowerment team determines that a lesser amount is necessary to carry out the empowerment plan.~~

~~Sec. 6.3. 1. The empowerment team of a public school, other than a charter school that is sponsored by the State Board, that develops an empowerment plan pursuant to section 6 of this act shall submit the proposed empowerment plan to the designee of the board of trustees appointed pursuant to this subsection for review and approval pursuant to this section. The board of trustees shall designate a person to review each proposed empowerment plan and recommend the approval or denial of the plan to the board of trustees.~~

~~2. The board of trustees shall approve or deny the empowerment plan. The approval or denial of an empowerment plan must be based solely upon the contents of the plan and may not consider the amount of money required to carry out the empowerment plan if the plan is within the limits of the total apportionment to the school pursuant to subsection 4 of section 6 of this act.~~

~~3. If the board of trustees approves an empowerment plan, the president of the board of trustees, the principal of the public school and the chairman of the empowerment team, if the principal is not the chairman, shall each sign the plan. The empowerment plan is effective for 3 years unless the empowerment team determines that the school will no longer operate under the plan or the board of trustees of the school district revokes the plan.~~

~~4. If the board of trustees denies an empowerment plan, the board of trustees shall:~~

~~(a) Return the plan to the empowerment team with a written statement indicating the reason for the denial; and~~

~~(b) Provide the empowerment team with a reasonable opportunity to correct any deficiencies identified in the written statement and resubmit it for approval. An empowerment plan may be resubmitted not more than once in a school year.~~

~~5. An empowerment plan for a public school is not effective and a public school shall not operate as an empowerment school unless the plan is signed by~~

1 the president of the board of trustees of the school district, the principal of the
2 public school and the chairman of the empowerment team, if the principal is not
3 the chairman. If an empowerment plan includes a request for a waiver from a
4 statute contained in this title or a regulation of the State Board or the
5 Department, a public school may operate under the approved plan but the
6 requested waivers from state law are not effective unless approved by the State
7 Board pursuant to subsection 7.

8 6. The empowerment team may submit a written request to the board of
9 trustees for an amendment to the empowerment plan approved pursuant to this
10 section, including an explanation of the reason for the amendment. An
11 amendment must be approved in the same manner as the empowerment plan was
12 approved.

13 7. If the empowerment plan includes a request for a waiver from a statute
14 or regulation, the board of trustees shall forward the approved empowerment
15 plan to the State Board for review of the request for a waiver. The State Board
16 shall review the empowerment plan and may approve or deny the request for a
17 waiver from a statute or regulation unless the statute or regulation is required by
18 federal law or is required to carry out federal law.

19 8. If the State Board approves the request for a waiver for a school, the
20 Department shall provide written notice of the approval to the board of trustees of
21 the school district that submitted the empowerment plan on behalf of the school.

22 9. If the State Board denies a request for a waiver, the State Board shall:

23 (a) Return the request to the school district with a written statement
24 indicating the reason for the denial; and

25 (b) Provide the empowerment team with a reasonable opportunity to correct
26 any deficiencies identified in the written statement and resubmit it for approval. A
27 request for a waiver may be resubmitted by the school district, after the
28 empowerment team corrects any deficiencies, not more than once in a school
29 year.

30 Sec. 6.5. 1. The empowerment team of a charter school that is sponsored
31 by the State Board which develops an empowerment plan pursuant to section 6 of
32 this act shall submit the proposed plan to the Department for transmission to the
33 State Board for review and approval pursuant to this section.

34 2. The State Board shall review each proposed empowerment plan and
35 approve or deny the plan, including a request for a waiver from a statute
36 contained in this title or a regulation of the State Board or the Department, if
37 applicable. The approval or denial of an empowerment plan must be based solely
38 upon the contents of the plan and may not consider the amount of money
39 required to carry out the empowerment plan if the plan is within the limits of the
40 total apportionment to the charter school pursuant to subsection 4 of section 6 of
41 this act.

42 3. If the State Board approves an empowerment plan, the President of the
43 State Board, the principal of the charter school and the chairman of the
44 empowerment team, if the principal is not the chairman, shall each sign the plan.
45 The empowerment plan is effective for 3 years unless the empowerment team
46 determines that the school will no longer operate under the plan or the State
47 Board revokes the plan.

48 4. If the State Board denies an empowerment plan, the State Board shall:

49 (a) Return the plan to the empowerment team with a written statement
50 indicating the reason for the denial; and

51 (b) Provide the empowerment team with a reasonable opportunity to correct
52 any deficiencies identified in the written statement and resubmit it for approval.
53 An empowerment plan may be resubmitted not more than once in a school year.

5. An empowerment plan for a charter school that is sponsored by the State Board is not effective and a charter school shall not operate as an empowerment school unless the plan is signed by the President of the State Board, the principal of the charter school and the chairman of the empowerment team, if the principal is not the chairman.

6. The empowerment team may submit a written request to the Department for an amendment to the empowerment plan approved pursuant to this section, including an explanation of the reason for the amendment. An amendment must be approved in the same manner as the empowerment plan was approved.

Sec. 6.7. 1. Each empowerment school, other than a charter school that is sponsored by the State Board, shall, on a quarterly basis, submit to the board of trustees of the school district in which the school is located a report that includes:

(a) The financial status of the school; and

(b) A description of the school's compliance with each component of the empowerment plan for the school.

2. Each charter school that is sponsored by the State Board which is approved to operate as an empowerment school shall, on a quarterly basis, submit to the Department a report that includes:

(a) The financial status of the school; and

(b) A description of the school's compliance with each component of the empowerment plan for the school.

3. The board of trustees of a school district shall conduct a financial audit of each empowerment school within the school district, other than a charter school that is sponsored by the State Board. Each financial audit must be conducted on an annual basis and more frequently if determined necessary by the board of trustees.

4. The Department shall conduct a financial audit of each charter school that is sponsored by the State Board which operates as an empowerment school on an annual basis and more frequently if determined necessary by the Department.

Sec. 7. ~~{If an empowerment school is located in a school district that offers school choice as part of its program of empowerment schools, the empowerment school shall:~~

~~1. Enroll first the pupils who are zoned to attend that empowerment school.~~

~~2. After the enrollment of pupils pursuant to subsection 1, if the empowerment school has space available, enroll pupils who are not otherwise zoned to attend the school on the basis of a lottery system.} (Deleted by amendment.)~~

Sec. 8. 1. {Each} Except as otherwise provided pursuant to a waiver granted in accordance with section 6.3 or 6.5 of this act, each empowerment school, each person employed by an empowerment school and each pupil enrolled in an empowerment school shall comply with the applicable requirements of state law, including, without limitation, the standards of content and performance prescribed pursuant to NRS 389.520 and the examinations that are administered pursuant to NRS 389.015 and 389.550.

2. Each empowerment school may accept gifts, grants and donations from any source for the support of its empowerment plan. A person who gives a gift, grant or donation may designate all or part of the gift, grant or donation specifically to carry out the incentive pay structure of the school, if applicable.

Sec. 9. ~~{1. The Department shall:~~

~~(a) Develop a uniform method for the evaluation of the programs of empowerment schools established by school districts and the progress of~~

~~empowerment schools in a manner that provides a statistical analysis of longitudinal data; and~~

~~(b) On an annual basis, conduct an evaluation using measurable outcomes and indicators to assess the achievement of pupils enrolled in empowerment schools;~~

~~2. The Department may conduct such other evaluations, surveys or studies deemed necessary to evaluate the programs of empowerment schools and the progress of empowerment schools;~~

~~3. On or before December 1 of each year, the Department shall prepare a written report of the evaluations conducted pursuant to subsection 1 and any evaluation, survey or study conducted pursuant to subsection 2. The report must be submitted to the Governor and;~~

~~(a) In each even-numbered year, the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature;~~

~~(b) In each odd-numbered year, the Legislative Committee on Education.]~~
(Deleted by amendment.)

Sec. 10. The State Board may adopt regulations to carry out the provisions of sections 2 to 10, inclusive, of this act.

Sec. 11. [1. There is hereby appropriated from the State General Fund to the Department of Education the sum of \$850,000 for the purpose of carrying out the provisions of sections 12 and 15 of this act;

~~2. Except as otherwise provided in subsection 3, 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;~~

~~3. Any remaining balance of the appropriation made by subsection 1 which is not committed for expenditure by an empowerment school but which has been apportioned to the empowerment school by the school district pursuant to section 15 of this act does not revert to the State General Fund or otherwise revert to the school district if the school continues to operate as an empowerment school.]~~
(Deleted by amendment.)

Sec. 12. [1. The Department of Education shall use the money appropriated by section 11 of this act to assist each school district that wishes to establish a program of empowerment schools pursuant to section 3 of this act in the development of the program, including, without limitation, the provision of appropriate training for the design team created for the school district pursuant to section 3 of this act;

~~2. The Department of Education shall provide grants of money to school districts, upon application by a school district on a form prescribed by the Department. The Department shall distribute to each school district whose application is approved a grant of not more than \$50,000. The school district shall use the money to;~~

~~(a) Assist the design team created for the school district in conducting research and with developing a program of empowerment for recommendation to the board of trustees of the school district, including, without limitation, surveying programs of empowerment or similar models of site-based decision making in other states and countries during Fiscal Year 2007-2008; and~~

~~(b) Provide appropriate training to the principals of public schools within the school district who are interested in submitting an empowerment plan pursuant to section 6 of this act for operation during the 2008-2009 school year as an empowerment school.~~

~~3. On or before May 1, 2008, the Department of Education shall submit a written report to the Legislative Committee on Education which includes the name of each school district that received a grant of money pursuant to this section and a description of how that money was used.~~

~~4. If the board of trustees of a school district received a grant of money pursuant to this section and the board of trustees did not establish a program of empowerment schools, the board of trustees shall, on or before January 1, 2008, submit to the Department of Education and to the Legislative Committee on Education the reasons of the board of trustees for not establishing a program of empowerment schools.~~ **(Deleted by amendment.)**

Sec. 13. ~~[1. There is hereby appropriated from the State General Fund to the Clark County School District for the Fiscal Year 2007-2008 the sum of \$1,695,100 for the support of not more than four public schools that operated as empowerment schools in the Clark County School District during the 2006-2007 school year. The money must be used to assist with the operation of those empowerment schools during the 2007-2008 school year.~~

~~2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2008, 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 19, 2008, 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 19, 2008.~~

~~3. An empowerment school that is apportioned money pursuant to this section may be selected by the Interim Finance Committee for a grant of money pursuant to section 15 of this act to assist with the operation of the empowerment school during the 2008-2009 school year.~~ **(Deleted by amendment.)**

Sec. 14. ~~[1. There is hereby appropriated from the State General Fund to the Department of Education for the Fiscal Year 2008-2009 the sum of \$42,255,661 for the support of public schools that will operate as empowerment schools during the 2008-2009 school year pursuant to sections 2 to 10, inclusive, of this act. The money must be allocated in accordance with section 15 of this act.~~

~~2. Except as otherwise provided in subsection 3, 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.~~

~~3. Any remaining balance of the appropriation made by subsection 1 which is not committed for expenditure by the empowerment school but which has been apportioned to the empowerment school by the school district does not revert to the State General Fund or otherwise revert to the school district if the school continues to operate as an empowerment school.~~ **(Deleted by amendment.)**

Sec. 15. ~~[1. The board of trustees of a school district may submit an application for a grant of money from the appropriation made by:~~

~~(a) Section 14 of this act; and~~
~~(b) Section 11 of this act if any money is remaining at the end of Fiscal Year 2007-2008 from that appropriation.~~
~~2. An application must be on a form prescribed by the Department of Education and include, without limitation:~~
~~(a) The number of empowerment schools within the school district with an empowerment plan that is approved pursuant to section 6 of this act that are ready for operation under the plan in the 2008-2009 school year;~~
~~(b) A description of the empowerment plan for each school;~~
~~(c) The manner by which the grant of money will be distributed among the empowerment schools within the school district; and~~
~~(d) A prioritized list of the empowerment schools within the school district for which the school district is requesting a grant of money.~~
~~3. Upon receipt of an application submitted pursuant to subsection 2, the Department of Education shall review the applications submitted by each school district jointly with the Budget Division of the Department of Administration and the Legislative Bureau of Educational Accountability and Program Evaluation. The Department of Education shall transmit the applications to the State Board of Examiners with the recommendation for the amount of the grant for each school district whose application is approved. Each recommendation must be based upon the prioritized list submitted by each school district pursuant to subsection 2.~~
~~4. The State Board of Examiners, or the Clerk of the Board if authorized by the Board to act on its behalf, shall consider each application and, if it finds that an allocation should be made, recommend, on or before April 1, 2008, the amount of each allocation to the Interim Finance Committee.~~
~~5. The Interim Finance Committee shall review each recommendation submitted by the State Board of Examiners and award an allocation for each school district based on the recommendations of the State Board of Examiners.~~
~~6. The Interim Finance Committee shall:~~
~~(a) Award grants of money to school districts with approved applications for empowerment schools to operate during the 2008-2009 school year;~~
~~(b) Select at least one empowerment school from each school district that submits an application which is approved; and~~
~~(c) Ensure that the empowerment schools selected 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.~~
~~7. The Interim Finance Committee shall:~~
~~(a) Provide a grant of \$50,000 per empowerment school or \$550 per pupil at that empowerment school, whichever is more, to each school district whose application is approved; and~~
~~(b) After the amounts are determined pursuant to paragraph (a), apportion the remaining amount of the appropriations made by sections 11 and 14 of this act, if any, to each school district whose application is approved pro rata based upon the number of pupils enrolled in each empowerment school in each school district.~~
~~8. Each school district that receives a grant of money pursuant to this section:~~
~~(a) Shall apportion the money to each empowerment school within the school district based upon the prioritized list to assist the school with its operation under an empowerment plan in the 2008-2009 school year.~~
~~(b) May retain not more than 1.5 percent of the grant for the costs of the school district for maintaining its program of empowerment schools.] (Deleted by amendment.)~~

Sec. 16. ~~[1. There is hereby appropriated from the State General Fund to the Department of Education for the position of a coordinator for the programs of empowerment schools:~~

~~For the Fiscal Year 2007-2008 \$84,791~~

~~For the Fiscal Year 2008-2009 \$114,448~~

~~2. The Department of Education shall use the money appropriated by subsection 1 to pay for the salary, travel expenses, administrative and equipment expenses of the coordinator appointed pursuant to subsection 3.~~

~~3. The Superintendent of Public Instruction shall hire a coordinator to assist the Department of Education with carrying out the provisions of this act.~~

~~4. 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 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 19, 2008, and September 18, 2009, respectively, 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 19, 2008, and September 18, 2009, respectively.] (Deleted by amendment.)~~

Sec. 17. ~~[1. Each board of trustees of a school district that wishes to receive a grant of money pursuant to section 15 of this act shall create a design team for the school district pursuant to section 3 of this act on or before August 1, 2007.~~

~~2. A design team for a school district created pursuant to section 3 of this act shall:~~

~~(a) Research and investigate programs of empowerment and similar models of site-based decision making to assist the design team in the development and implementation of a program of empowerment for the school district; and~~

~~(b) On or before November 1, 2007, recommend to the board of trustees of the school district a program of empowerment for the public schools within the school district.~~

~~3. On or before December 1, 2007, the board of trustees of each school district that wishes to receive a grant of money pursuant to section 15 of this act shall adopt a program of empowerment schools pursuant to section 4 of this act and provide notice to the principals of each public school within the school district that they may apply to the school district by submitting an empowerment plan pursuant to section 6 of this act.~~

~~4. On or before January 1, 2008, the board of trustees of each school district that wishes to receive a grant of money pursuant to section 15 of this act shall begin accepting empowerment plans from principals of public schools within the school district that wish to operate as an empowerment school.~~

~~5. On or before February 1, 2008, the board of trustees of each school district that wishes to receive a grant of money pursuant to section 15 of this act shall select the schools that will operate as empowerment schools during the 2008-2009 school year.] (Deleted by amendment.)~~

Sec. 18. ~~[1. On or before August 1, 2008, the Department of Education shall submit a written report to the Governor and to the Legislative Committee on Education. The report must include, without limitation:~~

~~(a) The name of each school district that received a grant of money pursuant to section 12 of this act, the amount of money apportioned to each school district and the manner in which the money was used; and~~

~~(b) The name of each empowerment school that was apportioned money from the appropriation made by section 13 of this act and the manner in which the money was used by each empowerment school.~~

~~2. On or before January 1, 2009, the Department of Education shall submit a written report to the Governor and to the Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature. The report must include, without limitation:~~

~~(a) For each school district that received a grant of money pursuant to section 15 of this act:~~

~~(1) The name of the school district;~~

~~(2) The amount of the grant to the school district;~~

~~(3) The name of each empowerment school that was apportioned money from the grant and the amount of the apportionment; and~~

~~(4) The manner in which the money was used by the empowerment school;~~

~~(b) To the extent that information is available, an evaluation of the programs of empowerment schools established by school districts, including, without limitation, the effect of the programs on the achievement of the pupils enrolled in empowerment schools and the status of the progress of empowerment schools; and~~

~~(c) Any recommendations for legislation relating to a program of empowerment schools.~~

~~For the purposes of section 9 of this act, the Department shall be deemed to comply with the report required pursuant to that section for 2007 and 2008 with the submission of the report required by this subsection.] (Deleted by amendment.)~~

Sec. 18.5. For the purpose of complying with the provisions of paragraph (b) of subsection 2 of section 3 of this act, the Clark County School District may, in calculating the number of schools that must be approved to operate as empowerment schools, include the four public schools that operated as empowerment schools during the 2006-2007 school year if those schools continue to operate as empowerment schools for the 2007-2008 school year and the 2008-2009 school year.

Sec. 19. This act becomes effective on July 1, 2007 ~~§~~, and expires by limitation on June 30, 2011.