

Amendment No. 419

Senate Amendment to Senate Bill No. 305

(BDR 34-97)

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

Adoption of this amendment will ADD an appropriation to S.B. 305 (§ 1).

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: 4/21/2007

S.B. No. 305—Revises provisions governing education. (BDR 34-97)



SENATE BILL NO. 305—SENATOR WASHINGTON

MARCH 19, 2007

Referred to Committee on Human Resources and Education

SUMMARY—~~[Revises provisions governing education. (BDR 34-97)]~~ **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; ~~[establishing the Program of Voucher Schools to be administered by the Department of Education; revising provisions governing the apportionments of money from the State Distributive School Account for payments to voucher schools; requiring that the appointment of the Superintendent of Public Instruction by the State Board of Education be confirmed or rejected by the Senate; authorizing the parents and guardians of certain pupils to choose which public schools the pupils will attend; authorizing certain local governments to veto matters passed by the boards of trustees of school districts within their jurisdiction;]~~ **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.

~~[Legislative Counsel's Digest]~~

~~Existing law establishes the system of public education in this State. (Title 34 of NRS)~~
~~Sections 8-17 of this bill establish a Program of Voucher Schools, to be administered by the Department of Education. A licensed private school may submit an application to the Department for certification as a voucher school. A child may apply to participate in the Program if he attends, or is scheduled to attend, a school that is designated as demonstrating need for improvement for 3 consecutive years or more under the school accountability laws or he is from a family of low income. Not more than 10 percent of the children who reside within each school district may be approved to participate in the Program. A pupil who participates in the Program and is enrolled in a voucher school must be included in the count of pupils for purposes of apportionments and allowances from the State Distributive School Account.~~
~~Section 18 of this bill requires the appointment of the Superintendent of Public Instruction by the State Board of Education to be confirmed or rejected by the State Senate. (NRS 385.150) Confirmation of the appointment requires a majority vote of the Senate.~~
~~Existing law authorizes certain school districts to establish zones of attendance that prescribe which children attend each school within the district. (NRS 388.040) Section 26 of this bill authorizes a parent or guardian to apply for his child to attend a public school outside~~

~~the zone of attendance or to attend a public school in another school district. A child is eligible if he is required to attend a public school that is designated as demonstrating need for improvement for 1 or more consecutive years under the school accountability laws or he is from a family of low income.~~

~~Existing law authorizes the boards of trustees of school districts to carry out the system of public education within their respective districts. (NRS 386.250) Sections 42 and 44 of this bill authorize the board of county commissioners or the governing body of a city in the county to veto matters passed by the board of trustees. This veto power applies to the governing body of a city only with respect to matters pertaining to the public schools that are located in part or in whole within the city.]~~

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

Delete existing sections 1 through 50 of this bill and replace with the following new sections 1 through 4:

Section 1. 1. There is hereby appropriated from the State General Fund to the Department of Education for grants of money to school districts and charter schools pursuant to this section:

For the 2007-2008 Fiscal Year\$98,192,418

For the 2008-2009 Fiscal Year\$102,540,017

2. Except as otherwise provided in subsection 6, the Department shall allocate the money appropriated by subsection 1 as follows:

(a) For programs of full-day kindergarten established in accordance with section 2 of this act:

(1) For the Fiscal Year 2007-2008\$26,274,725

(2) For the Fiscal Year 2008-2009\$27,879,334

(b) For programs of performance pay and enhanced compensation for licensed educational personnel established in accordance with section 3 of this act:

(1) For the Fiscal Year 2007-2008\$29,665,947

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

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

6 (3) Programs that incorporate educational technology;

7 (4) Programs of peer mediation;

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

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

11 (7) Assistance for the support teams established pursuant to NRS
12 385.3721 for non-Title I schools, including, without limitation, to pay for
13 substitute teachers as necessary for the teachers at the school who serve on the
14 support team to carry out the duties and responsibilities of the support team;

15 (8) Programs of career and technical education;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 **11. The sums appropriated by subsection 1 are available for either fiscal**
38 **year. Any remaining balance of those sums must not be committed for**
39 **expenditure after June 30, 2009, by the entity to which the appropriation is**
40 **made or any entity to which money from the appropriation is granted or**
41 **otherwise transferred in any manner, and any portion of the appropriated**
42 **money remaining must not be spent for any purpose after September 18, 2009,**
43 **by either the entity to which the money was appropriated or the entity to**
44 **which the money was subsequently granted or transferred, and must be**
45 **reverted to the State General Fund on or before September 18, 2009.**

46 **Sec. 2. 1. A school district or charter school that applies for a grant of**
47 **money pursuant to section 1 of this act may use the money to provide full-day**
48 **kindergarten in each school within the school district that is prioritized for**
49 **full-day kindergarten based upon the percentage of pupils enrolled in the**
50 **school who are eligible for free or reduced-price lunches pursuant to 42 U.S.C.**
51 **§§ 1751 et seq. If a school district chooses to use the money that it receives**
52 **pursuant to section 1 of this act to provide full-day kindergarten, the school**
53 **district shall allocate the money by assigning first priority to those schools**

1 within the school district that have the highest percentage of pupils who are
2 eligible for free or reduced-price lunches. If a school within a school district or
3 a charter school provides full-day kindergarten with money that it receives
4 from the Federal Government or other funding allocations, the school may
5 redirect that money, to the extent authorized by applicable federal law, for
6 other programs of remediation at the school and use the money provided
7 pursuant to section 1 of this act to provide full-day kindergarten.

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

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

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

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

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

29 3. A program for mentoring of teachers which provides for the payment
30 of increased compensation for mentor teachers and which includes criteria for
31 the selection of mentor teachers and teachers who will be mentored.

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

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

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

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

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

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

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

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

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

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