

Amendment No. 159

Senate Amendment to Senate Bill No. 196

(BDR 34-86)

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

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 underlining* is newly added transitory language.

CLP/KCR



Date: 4/8/2011

S.B. No. 196—Revises provisions governing empowerment schools. (BDR 34-86)



SENATE BILL NO. 196—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON EDUCATION)

FEBRUARY 24, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing empowerment schools. (BDR 34-86)

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; removing the restriction on the number of empowerment schools that may be established statewide; ~~providing that an empowerment school is not required to revert certain grants of money made by the Legislature;~~ removing the prospective expiration of the Program of Empowerment Schools; ~~requiring a plan for each public school of a school district to convert to an empowerment school;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Program of Empowerment Schools and imposes a cap on the number of empowerment schools that may be established statewide of 100 schools. (NRS 386.700-386.780) **Section 1** of this bill removes the cap.

~~Existing law sets forth provisions governing the sources of money which constitute the budget for an empowerment school and the discretion each empowerment school has over its budget. (NRS 386.740) Section 2 of this bill provides that if the Legislature appropriates money for grants to empowerment schools, each empowerment school awarded a grant may carry forward any money remaining from that grant to the next fiscal year and is not required to revert the money to the school district or the State.~~

Existing law provides for the prospective expiration of the Program of Empowerment Schools on June 30, 2011. (Section 20 of chapter 530, Statutes of Nevada 2007, p. 3285) **Section 3** of this bill removes the prospective expiration of the Program.

~~Under existing law, the boards of trustees of school districts in counties whose population is 100,000 or more (currently Clark and Washoe Counties) are required to approve not less than 5 percent of the schools within the school district to operate as empowerment schools, and the boards of trustees in all other counties are authorized to approve public schools within the school district to operate as empowerment schools. (NRS 386.720) Section 4 of this bill requires each school district to submit a report to the Superintendent of Public Instruction setting forth a timetable and process to convert each public school within the school district to an empowerment school not later than July 1, 2012. Section 4 also requires the Superintendent to compile the reports and prepare a written report of the compilation for submission to the Nevada Legislature.~~

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

Section 1. NRS 386.720 is hereby amended to read as follows:

386.720 1. There is hereby established a Program of Empowerment Schools for public schools within this State. The Program does not include a university school for profoundly gifted pupils.

2. ~~[Except as otherwise provided in this subsection, the]~~ **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.

~~[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. 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 that participates in the Program of Empowerment Schools may create a design team for the school district. If such a design team is created, the membership of 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 the superintendent's 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.

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

(a) Recommend 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 empowerment schools.

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

Sec. 2. ~~[NRS 386.740 is hereby amended to read as follows:~~

~~386.740 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 money apportioned to the school will be administered;~~

~~(c) If a school support team has been established for the school in accordance with the regulations of the State Board adopted pursuant to NRS 385.361, require~~

1 the principal and the empowerment team for the school to work in consultation with
2 the school support team;

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

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

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

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

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

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

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

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

23 ~~—(l) Comply with the plan to improve the achievement of the pupils enrolled in~~
24 ~~the school prepared pursuant to NRS 385.357, the turnaround plan for the school~~
25 ~~implemented pursuant to NRS 385.37603 or the plan for restructuring the school~~
26 ~~implemented pursuant to NRS 385.37607, whichever is applicable for the school;~~

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

29 ~~—(n) Set forth the calendar and schedule for the school;~~

30 ~~—2. If the empowerment plan includes an incentive pay structure, that pay~~
31 ~~structure must:~~

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

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

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

38 ~~—3. An empowerment plan may:~~

39 ~~—(a) Request a waiver from a statute contained in this title or a regulation of the~~
40 ~~State Board or the Department;~~

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

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

48 ~~—(a) Charter school, the amount of the budget is the amount equal to the~~
49 ~~apportionments and allowances from the State Distributive School Account~~
50 ~~pursuant to NRS 387.121 to 387.126, inclusive, and its proportionate share of any~~
51 ~~other money available from federal, state or local sources that the school or the~~
52 ~~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.~~

~~5. If money is appropriated by the Legislature for awarding grants to empowerment schools to develop or carry out an empowerment plan, each empowerment school that is awarded such a grant may carry forward any money remaining from that grant at the end of a fiscal year to the next fiscal year and is not required to revert the money to the school district in which the empowerment school is located or to the State.] (Deleted by amendment.)~~

Sec. 3. Section 20 of chapter 530, Statutes of Nevada 2007, at page 3285, is hereby amended to read as follows:

Sec. 20. This act becomes effective on July 1, 2007. ~~[, and expires by limitation on June 30, 2011.]~~

Sec. 4. ~~[1. On or before December 1, 2012, the board of trustees of each school district shall submit a written report to the Superintendent of Public Instruction which includes a timetable and process for each public school of the school district to convert to an empowerment school pursuant to the provisions of NRS 386.700 to 386.780, inclusive, not later than July 1, 2012.~~

~~2. The Superintendent of Public Instruction shall compile the written reports prepared pursuant to subsection 1 and submit a written report of the compilation and any recommendations for legislation to the Director of the Legislative Counsel Bureau for submission to the 77th Session of the Nevada Legislature.] (Deleted by amendment.)~~

Sec. 5. This act becomes effective upon passage and approval.