

SENATE BILL NO. 347—SENATORS WOODHOUSE, FORD, SPEARMAN,
DENIS, PARKS; ATKINSON, KIHUEN, MANENDO,
SEGERBLOM AND SMITH

MARCH 16, 2015

Referred to Committee on Finance

SUMMARY—Makes an appropriation to enable junior high schools and middle schools that are low performing academically to provide programs and services to certain pupils. (BDR S-219)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 an appropriation for Fiscal Year 2015-2016 and Fiscal Year 2016-2017 for distribution to junior high schools and middle schools that are low performing academically; requiring schools that receive an allocation of such money to use the money to offer certain programs and services to certain pupils; requiring Clark and Washoe County School Districts and the Department of Education to prepare an annual report; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Senate Bill No. 504 (S.B. 504), enacted during the 77th Session of the Nevada
- 2 Legislature, appropriated money for Fiscal Year 2013-2014 and Fiscal Year 2014-
- 3 2015 for distribution to elementary schools that have a high percentage of pupils
- 4 who are limited English proficient and are low performing academically. S.B. 504
- 5 required the schools that received an allocation of such money to use the money to
- 6 offer certain programs and services to pupils who are limited English proficient.
- 7 S.B. 504 also required the Clark and Washoe County School Districts and the
- 8 Department of Education to prepare an annual report and submit the report to the
- 9 Legislative Committee on Education during the interim or the Legislature during a
- 10 year in which there is a regular legislative session. This bill similarly appropriates
- 11 money for Fiscal Year 2015-2016 and Fiscal Year 2016-2017 for distribution to
- 12 junior high schools and middle schools that are low performing academically.



* S B 3 4 7 *

This bill requires a school that receives an allocation of such money to use the money to: (1) provide for an extended school day; (2) provide, free of a charge, a summer academy or an intercession academy if the junior high school or middle school does not operate on a traditional school calendar; (3) provide certain professional development for teachers and other educational personnel; and (4) hire an implementation specialist to train teachers regarding how to conduct small-group reading instruction for pupils in junior high school and middle school. This bill also requires the Clark and Washoe County School Districts and the Department of Education to prepare an annual report and submit the report to the Legislative Committee on Education during the interim or the Legislature during a year in which there is a regular legislative session.

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 Account for Programs for Innovation and the Prevention of Remediation created by NRS 385.379 the following sums:

- (a) For the Fiscal Year 2015-2016..... \$25,000,000
- (b) For the Fiscal Year 2016-2017..... \$25,000,000

2. The Department of Education shall transfer from the Account for Programs for Innovation and the Prevention of Remediation to the school districts specified in this subsection the following sums for Fiscal Year 2015-2016 and Fiscal Year 2016-2017:

<u>School District:</u>	<u>2015-2016</u>	<u>2016-2017</u>
Clark County School District	\$20,000,000	\$20,000,000
Washoe County School District	\$4,000,000	\$4,000,000

3. The Board of Trustees of the Clark County School District and the Board of Trustees of the Washoe County School District shall identify the lowest performing junior high schools and middle schools within the school district that have received an annual rating as one of the two lowest ratings possible indicating underperformance of a public school, as determined by the Department pursuant to the statewide system of accountability for public schools.

4. The Clark County School District and the Washoe County School District shall allocate the money transferred pursuant to subsection 2 to each school identified pursuant to subsection 3 to:

- (a) Provide for an extended school day;
- (b) Provide, free of charge, a summer academy or an intercession academy if the junior high school or middle school does not operate on a traditional school calendar;



(c) Provide professional development for teachers and other educational personnel of the school regarding effective instructional practices and strategies for pupils who are limited English proficient or who do not meet minimum standards of academic proficiency on a criterion-referenced examination in English or mathematics administered pursuant to NRS 389.550; and

(d) Hire an implementation specialist to train teachers regarding how to conduct small-group reading instruction for pupils in junior high school and middle school.

5. A school that receives an allocation of money pursuant to subsection 4 shall offer each of the programs and services prescribed in paragraphs (a) to (d), inclusive, of that subsection so that the school may offer a comprehensive package of programs and services for pupils who are limited English proficient or who do not meet minimum standards of academic proficiency on a criterion-referenced examination in English or mathematics administered pursuant to NRS 389.550. A school shall not use the money for any other purpose.

6. On or before August 15, 2015, the Clark County School District and the Washoe County School District shall provide a report to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee, which must include the schools identified by the school district pursuant to subsection 3 and the plan of each such school for carrying out the programs and services prescribed by paragraphs (a) to (d), inclusive, of subsection 4.

7. From the appropriation made by subsection 1, the Department of Education shall use not more than \$1,000,000 in Fiscal Year 2015-2016 and \$1,000,000 in Fiscal Year 2016-2017 to provide grants of money to the State Public Charter School Authority and the school districts, other than the Clark County School District or the Washoe County School District. The board of trustees of a school district and the State Public Charter School Authority may submit an application to the Department on a form prescribed by the Department that includes, without limitation:

(a) The number of junior high school and middle school pupils in the school district and charter schools, as applicable, who are limited English proficient or eligible for designation as limited English proficient;

(b) The number of junior high school and middle school pupils in the school district and charter schools, as applicable, who do not meet minimum standards of academic proficiency on a criterion-referenced examination in English or mathematics administered pursuant to NRS 389.550;



(c) A description of the programs and services the school district or charter schools, as applicable, will provide with a grant of money, which may include, without limitation:

(1) The provision of an extended school day;

(2) The provision of a summer academy or an intersession academy if the junior high school, middle school or charter school does not operate on a traditional school calendar;

(3) Professional development for teachers and other educational personnel regarding effective instructional practices and strategies for pupils who are limited English proficient or who do not meet minimum standards of academic proficiency on a criterion-referenced examination in English language arts or mathematics administered pursuant to NRS 389.550; or

(4) Hiring an implementation specialist to train teachers regarding how to conduct small-group reading instruction for pupils in junior high school and middle school.

8. The Department of Education shall distribute the money appropriated by subsection 1 to school districts and the State Public Charter School Authority that submit an application pursuant to subsection 7 based upon the number of junior high school and middle school pupils enrolled in each such school district or charter school, as applicable, who are limited English proficient, eligible for designation as limited English proficient or do not meet minimum standards of academic proficiency on a criterion-referenced examination in English or mathematics administered pursuant to NRS 389.550, and not on a competitive basis. If a school district or the State Public Charter School Authority receives a grant of money pursuant to this subsection, the school district or State Public Charter School Authority shall provide a report to the Department in the form prescribed by the Department with the information required for the Department's report pursuant to subsection 9.

9. The Clark County School District, the Washoe County School District and the Department of Education shall each prepare reports for Fiscal Year 2015-2016 and Fiscal Year 2016-2017 that include, without limitation:

(a) An identification of the schools that received an allocation of money by the school district or a grant of money from the Department, as applicable;

(b) The amount of money which each school received;

(c) A description of the programs or services for which the money was used by each school;

(d) The number of pupils who participated in a program or received services;

(e) The average per-pupil expenditure per program or service that was funded;



(f) An evaluation of the effectiveness of the programs or services, including, without limitation, data regarding the academic and linguistic achievement and proficiency of pupils who participated in a program or received services; and

(g) Any recommendations for legislation, including, without limitation, for the continuation or expansion of programs and services that are identified as effective in improving the academic and linguistic achievement and proficiency of children who are limited English proficient or who do not meet minimum standards of academic proficiency on a criterion-referenced examination in English or mathematics administered pursuant to NRS 389.550.

10. The reports prepared pursuant to subsection 9 must be submitted:

(a) For Fiscal Year 2015-2016, on or before June 15, 2016, to the Legislative Committee on Education.

(b) For Fiscal Year 2016-2017, on or before February 1, 2017, to the Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature.

11. The sums appropriated by subsection 1:

(a) Must be accounted for separately from any other money received by school districts of this State and used only for the purposes specified in this section.

(b) May not be used to settle or arbitrate disputes between a recognized organization representing employees of a school district and the school district, or to settle any negotiations.

(c) May not be used to adjust the district-wide schedules of salaries and benefits of the employees of a school district.

12. Upon request of the Legislative Commission, the Clark County School District and the Washoe County School District shall make available to the Legislative Auditor any of the books, accounts, claims, reports, vouchers or other records of information, confidential or otherwise, regardless of their form or location, that the Legislative Auditor deems necessary to conduct an audit of the use of the money transferred pursuant to subsection 2.

13. Any remaining balance of the transfers made by subsection 2 for Fiscal Year 2015-2016 must be added to the money transferred for Fiscal Year 2016-2017 and may be expended as that money is expended. Any remaining balance of the transfers made by subsection 2 for Fiscal Year 2016-2017, including any money added from the previous fiscal year, must not be committed for expenditure after June 30, 2017, and must be reverted to the State General Fund on or before September 15, 2017.

14. Any remaining balance of the allocations made by subsection 7 for Fiscal Year 2015-2016 must be added to the allocations for Fiscal Year 2016-2017 and may be expended as that



1 money is expended. Any remaining balance of the allocations made
2 by subsection 7 for Fiscal Year 2016-2017, including any money
3 added from the previous fiscal year, must not be committed for
4 expenditure after June 30, 2017, and must be reverted to the State
5 General Fund on or before September 15, 2017.
6 **Sec. 2.** This act becomes effective on July 1, 2015.

