

Amendment No. 574

Assembly Amendment to Assembly Bill No. 447	(BDR S-717)
Proposed by: Assembly Committee on Education	
Amendment Box: Replaces Amendment No. 303.	
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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.



ASSEMBLY BILL NO. 447—COMMITTEE ON EDUCATION

MARCH 27, 2017

Referred to Committee on Education

SUMMARY—Revises provisions relating to Victory schools. (BDR S-717)

FISCAL NOTE: Effect on Local Government: No.
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; extending the duration of the Victory schools program; ~~requiring a Victory school to use for certain services at least a specified percentage of the money distributed to the school;~~ **requiring the Department of Education to consult with the board of trustees of a school district when designating Victory schools;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

During the 78th Session of the Nevada Legislature (2015), the Legislature passed the Victory Schools Act, which provided for the distribution of money during the 2015-2017 biennium to certain underperforming public schools designated as Victory schools. (Chapter 389, Statutes of Nevada 2015, p. 2197) This bill continues the program in effect for the 2017-2019 biennium. **This bill also requires the Department to consult with the board of trustees of a school district when designating Victory schools.** ~~The Act authorized a Victory school to use for wrap around services a portion of the money distributed to the school. These are supplemental services provided to a pupil with special needs or the family of such a pupil that are not otherwise covered by any federal or state program of assistance. (Section 2 of chapter 389, Statutes of Nevada 2015, p. 2199) This bill requires that not less than 25 percent of the money received by a Victory school be used for this purpose.~~

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

Section 1. Section 2 of the Victory Schools Act, being chapter 389, Statutes of Nevada 2015, at page 2199, is hereby amended to read as follows:

Sec. 2. 1. The Department of Education shall, **in consultation with the board of trustees of a school district,** designate a public school as a Victory school if, relative to other public schools, including charter schools, that are located in the school district in which the school is also located:

(a) A high percentage of pupils enrolled in the school live in households that have household incomes that are less than the federally designated level signifying poverty, based on the most recent data compiled

by the Bureau of the Census of the United States Department of Commerce;
and

(b) The school received one of the two lowest possible ratings indicating underperformance of a public school, as determined by the Department pursuant to the statewide system of accountability for public schools, for the immediately preceding school year.

↪ The designation of a public school as a Victory school pursuant to this subsection must be made in consultation with the board of trustees of the school district in which the prospective Victory school is located.

2. The Department shall designate each Victory school for the ~~2015-2016~~ 2017-2018 Fiscal Year on or before June 1, ~~2015~~ 2017.

3. The Department shall transfer money from the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247 to each school district in which a Victory school is designated and each sponsor of a charter school that is designated as a Victory school on a per pupil basis. The amount distributed per pupil must be determined by dividing the amount of money appropriated to the Account by the ~~2015~~ 2017 Legislature for Victory schools by the total number of pupils who are enrolled in Victory schools statewide. After receiving money from the Account pursuant to this subsection:

(a) A school district shall distribute the money to each Victory school in the school district on a per pupil basis.

(b) A sponsor of a charter school shall distribute the money to each Victory school that it sponsors on a per pupil basis.

4. The board of trustees of each school district in which a Victory school is located and the governing body of each charter school that is designated as a Victory school shall, as soon as practicable after the school is designated as a Victory school, conduct an assessment of the needs of pupils that attend the school. The assessment must include soliciting input from the community served by the Victory school and identify any barriers to improving pupil achievement and school performance and strategies to meet the needs of pupils at the school.

5. Except as otherwise provided in subsection 7, on or before August 15, ~~2015~~ 2017, the board of trustees of each school district in which a Victory school is designated for the ~~2015-2016~~ 2017-2018 Fiscal Year and the governing body of each charter school that is designated as a Victory school for the ~~2015-2016~~ 2017-2018 Fiscal Year shall submit to the Department a comprehensive plan for meeting the educational needs of pupils enrolled in each Victory school. The board of trustees of each school district in which a Victory school is designated and the governing body of each charter school that is designated as a Victory school shall select at least one person who is familiar with the public schools in the school district or with the charter school, respectively, to assist with the development of the plan. The plan must:

(a) Include appropriate means to determine the effectiveness of the plan;

(b) Be based on the assessment of the needs of the pupils who attend the school conducted pursuant to subsection 4;

(c) Analyze available data concerning pupil achievement and school performance, including, without limitation, data collected and maintained in the statewide system of accountability for public schools and other pupil achievement data collected and maintained by the school district or charter school;

(d) Include a description of the criteria used to select entities to provide programs and services to pupils enrolled in the Victory school;

(e) Include a description of the manner in which the school district or governing body will collaborate with selected entities so that academic programs and services and nonacademic programs and services, including, without limitation, transportation services, may be offered without charge to support pupils and their families within the region in which the school is located;

(f) Take into account the number and types of pupils who attend the school and the locations where such pupils reside;

(g) Provide for the coordination of the existing or planned engagement of other persons who provide services in the region in which the school is located;

(h) Coordinate all funding available to each school that is subject to the plan;

(i) Provide for the coordination of all available resources to each school that is subject to the plan, including, without limitation, instructional materials and textbooks;

(j) Identify, for each school or group of schools subject to the plan, which of the measures described in subsection 8 will be implemented; and

(k) Identify the person or persons selected pursuant to this subsection who assisted with the development of the plan.

6. The Department shall review each plan submitted pursuant to subsection 5 to determine whether, or the extent to which, the plan complies with the requirements of this section and either approve or request revisions to the plan.

7. If the board of trustees of a school district in which a Victory school is designated or the governing body of a charter school that is designated as a Victory school does not submit a comprehensive plan for meeting the educational needs of pupils enrolled in each Victory school on or before August 15, ~~2015,~~ **2017**, as required pursuant to subsection 5, the board of trustees of the school district or the governing body of the charter school, as applicable, may submit to the Department a letter of intent to meet the educational needs of pupils enrolled in each Victory school. The letter must include, without limitation:

(a) An initial assessment of the needs of the pupils who attend the school which is conducted pursuant to subsection 4;

(b) An analysis of available data concerning pupil achievement and school performance, including, without limitation, data collected and maintained in the statewide system of accountability for public schools and data collected and maintained by the school district or charter school; and

(c) A summary of activities that the board of trustees or governing body, as applicable, will take to ensure completion of the comprehensive plan required pursuant to subsection 5 by not later than September 15, ~~2015,~~ **2017**.

8. A Victory school shall use ~~not less than 25 percent of the money distributed pursuant to subsection 3 to provide wrap-around services. The school shall use~~ the majority of the ~~remaining~~ money ~~not~~ distributed pursuant to subsection 3 to provide one or more of the following:

(a) A prekindergarten program free of charge, if such a program is not paid for by another grant.

(b) ~~An expansion of full day kindergarten classes, if such classes have not otherwise been paid for through legislative appropriation.~~

~~(e)~~ A summer academy or other instruction for pupils free of charge at times during the year when school is not in session.

~~(c)~~ Additional instruction or other learning opportunities free of charge at times of day when school is not in session.

~~(d)~~ Professional development for teachers and other educational personnel concerning instructional practices and strategies that have proven to be an effective means to increase pupil achievement in populations of pupils similar to those served by the school.

~~(e)~~ Incentives for hiring and retaining teachers and other licensed educational personnel who provide any of the programs or services set forth in this subsection from the list prescribed by the State Board of Education pursuant to subsection 14.

~~(f)~~ Employment of paraprofessionals, other educational personnel and other persons who provide any of the programs or services set forth in this subsection.

~~(g)~~ Reading skills centers.

(h) Evidence-based programs, integrated student supports and wrap-around services designed to meet the needs of pupils who attend the school, as determined using the assessment conducted pursuant to subsection 4.

9. A Victory school may use any money distributed pursuant to subsection 3 that is not used for the purposes described in subsection 8 to:

(a) Provide evidence-based social, psychological or health care services to pupils and their families ; ~~including, without limitation, wrap-around services;~~

(b) Provide programs and services designed to engage parents and families;

(c) Provide programs to improve school climate and culture; or

~~(d) Provide evidence-based programs and services specifically designed to meet the needs of pupils who attend the school, as determined using the assessment conducted pursuant to subsection 4; or~~

~~(e)~~ Any combination thereof.

10. A Victory school shall not use any money distributed pursuant to subsection 3 for a purpose not described in subsection 8 or 9.

11. Any programs offered at a Victory school pursuant to subsection 8 or 9 must:

(a) Be designed to meet the needs of pupils at the school, as determined using the assessment conducted pursuant to subsection 4 and to improve pupil achievement and school performance, as determined using the measures prescribed by the State Board of Education; and

(b) Be based on scientific research concerning effective practices to increase the achievement of pupils who live in poverty.

12. Each plan to improve the achievement of pupils enrolled in a Victory school that is prepared by the principal of the school pursuant to NRS 385A.650 must describe how the school will use the money distributed pursuant to subsection 3 to meet the needs of pupils who attend the school, as determined using the assessment described in subsection 4 and the requirements of this section.

13. The Department shall contract with an independent evaluator to evaluate the effectiveness of programs and services provided pursuant to this section. The evaluation must include, without limitation, consideration of the achievement of pupils who have participated in such programs and received such services. When complete, the evaluation must be provided

1 contemporaneously to the Department and the Legislative Committee on
2 Education.

3 14. The State Board of Education shall prescribe a list of recruitment
4 and retention incentives that are available to the school districts and
5 sponsors of charter schools that receive a distribution of money pursuant to
6 this section to offer to teachers and other licensed educational personnel.

7 15. The State Board shall require a Victory school to take corrective
8 action if pupil achievement and school performance at the school are
9 unsatisfactory, as determined by the State Board. If unsatisfactory pupil
10 achievement and school performance continue, the State Board may direct
11 the Department to withhold any additional money that would otherwise be
12 distributed pursuant to this section.

13 16. On or before November 30, 2016, and November 30, 2017, *or, in*
14 *the case of a Victory school designated for the 2017-2018 Fiscal Year, on*
15 *or before November 30, 2018, and November 30, 2019*, the board of
16 trustees of each school district in which a Victory school is designated and
17 the governing body of each charter school that is designated as a Victory
18 school shall submit to the Department and to the Legislative Committee on
19 Education a report, which must include, without limitation:

20 (a) An identification of schools to which money was distributed
21 pursuant to subsection 3 for the previous fiscal year;

22 (b) The amount of money distributed to each such school;

23 (c) A description of the programs or services for which the money was
24 used;

25 (d) The number of pupils who participated in such programs or
26 received such services;

27 (e) The average expenditure per pupil for each program or service that
28 was funded; and

29 (f) Recommendations concerning the manner in which the average
30 expenditure per pupil reported pursuant to paragraph (e) may be used to
31 determine formulas for allocating money from the State Distributive School
32 Account in the State General Fund.

33 17. The Legislative Committee on Education shall consider the
34 evaluations of the independent evaluator received pursuant to subsection 13
35 and the reports received pursuant to subsection 16 and advise the State
36 Board regarding any action the Committee determines appropriate for the
37 State Board to take based upon that information. The Committee shall also
38 make any recommendations it deems appropriate concerning Victory
39 schools to the next regular session of the Legislature which may include,
40 without limitation, recommendations for legislation.

41 18. The money distributed pursuant to subsection 3:

42 (a) Must be accounted for separately from any other money received
43 by Victory schools and used only for the purposes specified in this section;

44 (b) May not be used to settle or arbitrate disputes between a recognized
45 organization representing employees of a school district or the governing
46 body of a charter school and the school district or governing body or to
47 settle any negotiations; and

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

50 19. Upon request of the Legislative Commission, a Victory school to
51 which money is distributed pursuant to subsection 3 shall make available to
52 the Legislative Auditor any of the books, accounts, claims, reports,
53 vouchers or other records of information, confidential or otherwise,

1 regardless of their form or location, that the Legislative Auditor deems
2 necessary to conduct an audit of the use of such money.

3 20. As used in this section:

4 (a) "Community" includes any person or governmental entity who
5 resides or has a significant presence in the geographic area in which a
6 school is located or who interacts with pupils and personnel at a school, and
7 may include, without limitation, parents, businesses, nonprofit
8 organizations, faith-based organizations, community groups, teachers,
9 administrators and governmental entities.

10 (b) "Evidence-based ~~programs and services~~" means ~~practices,~~
11 ~~interventions and services that have been proven, through scientifically~~
12 ~~based research, as defined in 20 U.S.C. § 7801(37), 7801(21), to be~~
13 ~~effective in improving outcomes for pupils when implemented with~~
14 ~~fidelity.]~~ integrated student supports" means supports developed, secured
15 or coordinated by a school to promote the academic success of pupils
16 enrolled in the school by targeting academic and nonacademic barriers to
17 pupil achievement.

18 (c) "Victory school" means a school that is so designated by the
19 Department pursuant to subsection 1.

20 (d) "Wrap-around services" means supplemental services provided to a
21 pupil with special needs or the family of such a pupil that are not otherwise
22 covered by any federal or state program of assistance.

23 **Sec. 2.** This act becomes effective:

24 1. Upon passage and approval for the purpose of performing any preparatory
25 administrative tasks that are necessary to carry out the provisions of the act; and

26 2. On July 1, 2017, for all other purposes.