

Amendment No. 182

Senate Amendment to Senate Bill No. 518	(BDR 34-1094)
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) 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.

AAK/BJE



Date: 4/9/2017

S.B. No. 518—Revises provisions relating to certain accounts used for the education of pupils enrolled in public schools. (BDR 34-1094)



SENATE BILL NO. 518—COMMITTEE ON EDUCATION

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

MARCH 27, 2017

Referred to Committee on Education

SUMMARY—Revises provisions relating to certain accounts used for the education of pupils enrolled in public schools. (BDR 34-1094)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; ~~abolishing the Account for Programs for Innovation and the Prevention of Remediation; providing for the transfer of money appropriated to the Account to other accounts;~~ removing the provision authorizing interest and income on money earned in the Contingency Account for Special Education Services to be credited to the Account; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Contingency Account for Special Education Services in the State General Fund and requires that interest and income earned on money in the Account be credited to the Account. (NRS 388.5243) ~~{Section 1 of this bill removes the provision authorizing such a credit to the Account.~~

~~{Existing law creates the Account for Programs for Innovation and the Prevention of Remediation. (NRS 387.1247) Section 5 of this bill abolishes the Account. Section 4 of this bill provides for the transfer of any money remaining in the Account to various other accounts. Sections 2 and 2 of this bill make conforming changes.}~~

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

Section 1. NRS 388.5243 is hereby amended to read as follows:
388.5243 1. The Contingency Account for Special Education Services is hereby created in the State General Fund to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants of money from any source for deposit in the Account. Any money from gifts and grants may be expended in accordance with the terms and conditions of the gift or grant, or in accordance with this section.

2. ~~{The interest and income earned on the sum of:~~
~~—(a) The money in the Account; and~~
~~—(b) Unexpended appropriations made to the Account from the State General Fund;~~
~~→ must be credited to the Account.} Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.~~

3. The money in the Account may only be used for public schools and public education, as authorized by the Legislature.

4. ~~{3.}~~ The State Board shall adopt regulations for the application, approval and disbursement of money commencing with the 2016-2017 school year to reimburse school districts and charter schools for extraordinary program expenses and related services which:

(a) Are not ordinarily present in the typical special education service and delivery system at a public school;

(b) Are associated with the implementation of the individualized education program of a pupil with significant disabilities, as defined by the State Board, to provide an appropriate education in the least restrictive environment; and

(c) The costs of which exceed the total funding available to the school district or charter school for the pupil.

Sec. 2. ~~{Section 1 of the Zoom Schools Act, being chapter 335, Statutes of Nevada 2015, at page 1870, is hereby amended to read as follows:~~

~~— Section 1. 1. The Board of Trustees of the Clark County School District and the Board of Trustees of the Washoe County School District shall identify the elementary schools within the School District to operate as Zoom elementary schools based upon which elementary schools within the School District:~~

~~— (a) Have the highest percentage of pupils who are limited English proficient or eligible for designation as limited English proficient; and~~

~~— (b) Are the lowest performing academically.~~

~~2. The Board of Trustees of the Clark County School District and the Board of Trustees of the Washoe County School District shall distribute the money [appropriated by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247] in the Other State Education Programs Account in the State General Fund for each Zoom elementary school of those school districts to:~~

~~— (a) Provide prekindergarten programs free of charge;~~

~~— (b) Expand full-day kindergarten classes;~~

~~— (c) Operate reading skills centers;~~

~~— (d) Provide, free of charge, a summer academy or an intersession academy for those schools that do not operate on a traditional school calendar, including, without limitation, the provision of transportation to attend the summer academy or intersession academy;~~

~~— (e) Provide professional development for teachers and other licensed educational personnel regarding effective instructional practices and strategies for children who are limited English proficient;~~

~~— (f) Offer recruitment and retention incentives for the teachers and other licensed educational personnel who provide any of the programs and services set forth in this subsection from the list of incentives prescribed by the State Board of Education pursuant to subsection 12; and~~

~~— (g) Engage and involve parents and families of children who are limited English proficient, including, without limitation, increasing~~

~~effective, culturally appropriate communication with and outreach to parents and families to support the academic achievement of those children.~~

~~2. A Zoom elementary school that receives money pursuant to subsection 2 shall offer each of the programs and services prescribed in paragraphs (a) to (g), inclusive, of that subsection so that the Zoom elementary school may offer a comprehensive package of programs and services for pupils who are limited English proficient. A Zoom elementary school shall not use the money for any other purpose or use more than 2 percent of the money for the purposes described in paragraphs (e), (f) and (g) of subsection 2.~~

~~4. A reading skills center operated by a Zoom elementary school must provide:~~

~~(a) Support at the Zoom elementary school in the assessment of reading and literacy problems and language acquisition barriers for pupils; and~~

~~(b) Instructional intervention to enable pupils to overcome such problems and barriers by the completion of grade 2.~~

~~5. The Board of Trustees of the Clark County School District shall identify at least three middle schools, junior high schools or high schools within the school district to operate as Zoom middle schools, junior high schools or high schools. The Board of Trustees of the Washoe County School District shall identify at least one middle school, junior high school or high school within the school district to operate as a Zoom middle school, junior high school or high school. Each such board of trustees shall identify those schools based upon which middle schools, junior high schools and high schools within the school district:~~

~~(a) Have the highest percentage of pupils who are limited English proficient; and~~

~~(b) Are the lowest performing academically.~~

~~6. The Clark County School District and the Washoe County School District shall distribute the money appropriated by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation for each Zoom middle school, junior high school and high school of those school districts to carry out one or more of the following:~~

~~(a) Reduce class sizes for pupils who are limited English proficient and provide English language literacy based classes;~~

~~(b) Provide direct instructional intervention to each pupil who is limited English proficient using the data available from applicable assessments of that pupil;~~

~~(c) Provide for an extended school day;~~

~~(d) Provide, free of charge, a summer academy or an intersession academy for those schools that do not operate on a traditional school calendar, including, without limitation, the provision of transportation to attend the summer academy or intersession academy;~~

~~(e) Provide professional development for teachers and other licensed educational personnel regarding effective instructional practices and strategies for pupils who are limited English proficient;~~

~~(f) Offer recruitment and retention incentives for teachers and other licensed educational personnel who provide any of the programs and services set forth in this subsection from the list of incentives prescribed by the State Board of Education pursuant to subsection 12;~~

~~(g) Engage and involve parents and families of pupils who are limited English proficient, including, without limitation, increasing effective,~~

~~culturally appropriate communication with and outreach to parents and families to support the academic achievement of those pupils; and~~

~~(h) Provide other evidence based programs and services that are approved by the Department of Education and that are designed to meet the specific needs of pupils enrolled in the school who are limited English proficient.~~

~~→ The Clark County School District and the Washoe County School District shall not use more than 2 percent of the money for the purposes described in paragraphs (e), (f) and (g).~~

~~7. On or before August 1, 2015, the Clark County School District and the Washoe County School District shall each provide a report to the Department of Education which includes the:~~

~~(a) Zoom elementary schools identified by the School District pursuant to subsection 1 and the plan of each such school for carrying out the programs and services prescribed by paragraphs (a) to (g), inclusive, of subsection 2; and~~

~~(b) Zoom middle schools, junior high schools and high schools identified by the School District pursuant to subsection 5 and the plan of each school for carrying out the programs and services described in paragraphs (a) to (h), inclusive, of subsection 6.~~

~~8. From the money appropriated by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation for Zoom schools or charter schools or school districts other than the Clark County School District or Washoe County School District, the Department of Education shall provide grants of money to the sponsors of such charter schools and the school districts. The sponsor of such a charter school and the board of trustees of such a school district may submit an application to the Department on a form prescribed by the Department that includes, without limitation:~~

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

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

~~(1) The creation or expansion of high quality, developmentally appropriate prekindergarten programs, free of charge, that will increase enrollment of children who are limited English proficient;~~

~~(2) The acquisition and implementation of empirically proven assessment tools to determine the reading level of pupils who are limited English proficient and technology based tools, such as software, designed to support the learning of pupils who are limited English proficient;~~

~~(3) Professional development for teachers and other educational personnel regarding effective instructional practices and strategies for children who are limited English proficient;~~

~~(4) The provision of programs and services for pupils who are limited English proficient, free of charge, before and after school, during the summer or intercession for those schools that do not operate on a traditional school calendar, including, without limitation, the provision of transportation to attend the summer academy or intercession academy;~~

~~(5) Engaging and involving parents and families of children who are limited English proficient, including, without limitation, increasing~~

~~effective, culturally appropriate communication with and outreach to parents and families to support the academic achievement of those children;~~

~~(6) Offering recruitment and retention incentives for the teachers and other licensed educational personnel who provide any of the programs and services set forth in this subsection from the list of incentives prescribed by the State Board of Education pursuant to subsection 12; and~~

~~(7) Provide other evidence-based programs and services that are approved by the Department and that are designed to meet the specific needs of pupils enrolled in the school who are limited English proficient.~~

~~9. The Department of Education shall award grants of money to school districts and the sponsors of charter schools that submit applications pursuant to subsection 8 based upon the number of pupils enrolled in each such school district or charter school, as applicable, who are limited English proficient or eligible for designation as limited English proficient, and not on a competitive basis.~~

~~10. A school district and a sponsor of a charter school that receives a grant of money pursuant to subsection 8:~~

~~(a) Shall not use more than 2 percent of the money for the purposes described in subparagraphs (3), (5) and (6) of paragraph (b) of subsection 8;~~

~~(b) 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 15.~~

~~11. On or before August 17, 2015, the Department of Education shall submit a report to the State Board of Education and the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee which includes:~~

~~(a) The information reported by the Clark County School District and the Washoe County School District pursuant to subsection 7; and~~

~~(b) The school districts and charter schools for which a grant of money is approved pursuant to subsection 9 and the plan of each such school district and charter school for carrying out programs and services with the grant money, including, without limitation, any programs and services described in subparagraphs (1) to (7), inclusive, of paragraph (b) of subsection 8.~~

~~12. The State Board of Education shall prescribe:~~

~~(a) A list of recruitment and retention incentives for the school districts and the sponsors of charter schools that receive a distribution of money pursuant to this section to offer to teachers and other licensed educational personnel pursuant to paragraph (f) of subsection 2, paragraph (f) of subsection 6 and subparagraph (6) of paragraph (b) of subsection 8; and~~

~~(b) Criteria and procedures to notify a school district or a charter school that receives money pursuant to this section if the school district or charter school is not implementing the programs and services for which the money was received in accordance with the applicable requirements of this section or in accordance with the performance levels prescribed by the State Board pursuant to subsection 13, including, without limitation, a plan of corrective action for the school district or charter school to follow to meet the requirements of this section or the performance levels.~~

~~13. The State Board of Education shall prescribe statewide performance levels and outcome indicators to measure the effectiveness of the programs and services for which money is received by the school districts and charter schools pursuant to this section. The performance levels must establish minimum expected levels of performance on a yearly~~

1 basis based upon the performance results of children who participate in the
2 programs and services. The outcome indicators must be designed to track
3 short term and long term impacts on the progress of children who
4 participate in the programs and services, including, without limitation:

5 ~~— (a) The number of children who participated;~~

6 ~~— (b) The extent to which the children who participated improved their~~
7 ~~English language proficiency and literacy levels compared to other children~~
8 ~~who are limited English proficient or eligible for such a designation who~~
9 ~~did not participate in the programs and services; and~~

10 ~~— (c) To the extent that a valid comparison may be established, a~~
11 ~~comparison of the academic achievement and growth in the subject areas of~~
12 ~~English language arts and mathematics of children who participated in the~~
13 ~~programs and services to other children who are limited English proficient~~
14 ~~or eligible for such a designation who did not participate in the programs~~
15 ~~and services.~~

16 ~~14. The Department of Education shall contract for an independent~~
17 ~~evaluation of the effectiveness of the programs and services offered by each~~
18 ~~Zoom elementary school pursuant to subsection 2, each Zoom middle~~
19 ~~school, junior high school and high school pursuant to subsection 6 and the~~
20 ~~programs and services offered by the other school districts and the charter~~
21 ~~schools pursuant to subsection 8.~~

22 ~~15. The Clark County School District, the Washoe County School~~
23 ~~District and the Department of Education shall each prepare an annual~~
24 ~~report that includes, without limitation:~~

25 ~~— (a) An identification of the schools that received money from the~~
26 ~~School District or a grant of money from the Department, as applicable.~~

27 ~~— (b) How much money each such school received.~~

28 ~~— (c) A description of the programs or services for which the money was~~
29 ~~used by each such school.~~

30 ~~— (d) The number of children who participated in a program or received~~
31 ~~services.~~

32 ~~— (e) The average per child expenditure per program or service that was~~
33 ~~funded.~~

34 ~~— (f) For the report prepared by the School Districts, an evaluation of the~~
35 ~~effectiveness of such programs and services, including, without limitation,~~
36 ~~data regarding the academic and linguistic achievement and proficiency of~~
37 ~~children who participated in the programs or received services.~~

38 ~~— (g) Any recommendations for legislation, including, without limitation:~~

39 ~~(1) For the continuation or expansion of programs and services that~~
40 ~~are identified as effective in improving the academic and linguistic~~
41 ~~achievement and proficiency of children who are limited English proficient.~~

42 ~~(2) A plan for transitioning the funding for providing the programs~~
43 ~~and services set forth in this section to pupils who are limited English~~
44 ~~proficient from categorical funding to a weighted per pupil formula within~~
45 ~~the Nevada Plan.~~

46 ~~(h) For the report prepared by the Department, in addition to the~~
47 ~~information reported for paragraphs (a) to (e), inclusive, and paragraph (g):~~

48 ~~(1) The results of the independent evaluation required by~~
49 ~~subsection 14 of the effectiveness of the programs and services, including,~~
50 ~~without limitation, data regarding the academic and linguistic achievement~~
51 ~~and proficiency of children who participated in a program or received a~~
52 ~~service;~~

~~(2) Whether a school district or charter school was notified that it was not implementing the programs and services for which it received money pursuant to this section in accordance with the applicable requirements of this section or in accordance with the performance levels prescribed by the State Board of Education pursuant to subsection 12 and the status of such a school district or charter school, if any, in complying with a plan for corrective action; and~~

~~(3) Whether each school district or charter school that received money pursuant to this section met the performance levels prescribed by the State Board of Education pursuant to subsection 12.~~

~~16. The annual report prepared by the Clark County School District and the Washoe County School District pursuant to subsection 15 must be submitted to the Department of Education on or before June 1, 2016, and January 16, 2017, respectively. The Department shall submit the information reported by these school districts and the information prepared by the Department pursuant to subsection 15:~~

~~(a) On or before June 15, 2016, to the State Board of Education and the Legislative Committee on Education.~~

~~(b) On or before February 1, 2017, to the State Board of Education and the Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature.~~

~~17. The Department of Education may require a Zoom school or other public school that receives money pursuant to this section to provide a report to the Department on:~~

~~(a) The number of vacancies, if any, in full time licensed educational personnel at the school;~~

~~(b) The number of probationary employees, if any, employed at the school;~~

~~(c) The number, if any, of persons who are employed at the school as substitute teachers for 20 consecutive days or more in the same classroom or assignment and designated as long term substitute teachers; and~~

~~(d) Any other information relating to the personnel at the school as requested by the Department.~~

~~18. The money appropriated by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation for Zoom schools:~~

~~(a) Must be accounted for separately from any other money received by school districts or charter schools 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.~~

~~19. 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 distributed by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation for Zoom schools.~~

~~20. As used in this section:~~

~~(a) "Limited English proficient" has the meaning ascribed to it in NRS 385.007.~~

~~(b) "Probationary employee" has the meaning ascribed to it in NRS 391.650.] (Deleted by amendment.)~~

Sec. 3. ~~[Section 2 of the Victory Schools Act, being chapter 389, Statutes of Nevada 2015, at page 2149, is hereby amended to read as follows:~~

~~Sec. 2. 1. The Department of Education shall 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.~~

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

~~3. The Department shall transfer money from the [Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247] **Other State Education Programs Account in the State General Fund** 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 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, the board of trustees of each school district in which a Victory school is designated for the 2015-2016 Fiscal Year and the governing body of each charter school that is designated as a Victory school for the 2015-2016 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, 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~~

~~(e) 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.~~

~~8. A Victory school shall use the majority of the money 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.~~

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

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

~~(e) 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.~~

~~(f) 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.~~

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

~~(h) Reading skills centers.~~

~~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;~~

~~(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.~~

~~12. 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 contemporaneously to the Department and the Legislative Committee on Education.~~

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

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

~~16. On or before November 30, 2016, and November 30, 2017, 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 submit to the Department and to the Legislative Committee on Education a report, which must include, without limitation:~~

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

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

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

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

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

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

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

~~18. The money distributed pursuant to subsection 3:~~

~~(a) Must be accounted for separately from any other money received by Victory schools 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 or the governing body of a charter school and the school district or governing body or to settle any negotiations; and~~

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

~~19. Upon request of the Legislative Commission, a Victory school to which money is distributed pursuant to subsection 3 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 such money.~~

~~20. As used in this section:~~

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

~~(b) "Evidence based programs and services" means practices, interventions and services that have been proven, through scientifically based research, as defined in 20 U.S.C. § 7801(37), to be effective in improving outcomes for pupils when implemented with fidelity.~~

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

~~(d) "Wrap around services" means 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.] (Deleted by amendment.)~~

Sec. 4. ~~[The balance of any money remaining on June 30, 2017, in the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247 that has not been committed for expenditure must be transferred as follows:~~

~~1. Any money appropriated to implement the Zoom schools program pursuant to section 27 of chapter 537, Statutes of Nevada 2015, at page 3750, must be transferred to the Other State Education Programs Account in the State General Fund.~~

~~2. Any money appropriated to implement the Victory schools program pursuant to section 28 of chapter 537, Statutes of Nevada 2015, at page 3751, must be transferred to the Other State Education Programs Account in the State General Fund.~~

~~3. Any money appropriated to provide financial incentives to newly hired teachers pursuant to section 33 of chapter 537, Statutes of Nevada 2015, at page 3754, must be transferred to the Other State Education Programs Account in the State General Fund.~~

~~4. Any money appropriated to provide special education services pursuant to section 38 of chapter 537, Statutes of Nevada 2015, at page 3757, must be transferred to the Contingency Account for Special Education Services created by NRS 388.5243.] (Deleted by amendment.)~~

Sec. 5. ~~[NRS 387.1247 is hereby repealed.] (Deleted by amendment.)~~

Sec. 6. This act becomes effective on July 1, 2017.

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~~TEXT OF REPEALED SECTION~~

~~387.1247 Creation of Account; acceptance of gifts and grants; use of money in Account.~~

~~1. The Account for Programs for Innovation and the Prevention of Remediation is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants of money from any source for deposit in the Account. Any money from gifts and grants may be expended in accordance with the terms and conditions of the gift or grant, or in accordance with subsection 2. The interest and income earned on the sum of:~~

~~(a) The money in the Account; and~~

~~(b) Unexpended appropriations made to the Account from the State General Fund;~~

~~must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.~~

~~2. The money in the Account may only be used for public schools and public education or for any other purpose, as authorized by the Legislature.~~