

SENATE BILL NO. 190—SENATOR CANNIZZARO

PREFILED FEBRUARY 13, 2017

Referred to Committee on Finance

SUMMARY—Extends and revises the Zoom schools program for the 2017-2019 biennium. (BDR S-774)

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; extending the duration of the Zoom schools program; providing for the use of a portion of the money distributed to a Zoom school to provide evidence-based integrated student support systems; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

During the 77th Session of the Nevada Legislature, the Legislature appropriated money for the Clark County School District and the Washoe County School District to carry out a program of Zoom elementary schools during the 2013-2015 biennium to provide a comprehensive package of programs and services for children who are limited English proficient (now referred to as English learners) or eligible for such a designation. The other school districts and the State Public Charter School Authority were also authorized to apply for a grant of money from the appropriation to provide programs and services to children who were limited English proficient or eligible for such a designation. (Section 16.2 of chapter 515, Statutes of Nevada 2013, p. 3418)

The 78th Session of the Nevada Legislature continued and expanded the Zoom schools program to middle schools, junior high schools and high schools in the Clark County School District and the Washoe County School District for the 2015-2017 biennium through the enactment of Senate Bill No. 405. (Chapter 335, Statutes of Nevada 2015, p. 1869) S.B. 405 (2015) also authorized the other school districts and the governing bodies of charter schools to apply to the Department of Education for a grant of money from the appropriation made by the 2015 Legislature to the Account for Programs for Innovation and the Prevention of Remediation for Zoom schools to provide programs and services during the 2015-2017 biennium for children who were limited English proficient or eligible for such a designation. S.B. 405 (2015) required the school districts and charter schools that received money for Zoom schools to submit a report to the Department at the beginning of the biennium to identify the plan of the Zoom schools in the districts or charter schools to carry out the programs and services required by the bill. The



Department of Education was then required to submit a report to the State Board of Education and to the Legislature with such information. S.B. 405 (2015) required the State Board of Education to prescribe statewide performance levels and outcome indicators to measure the effectiveness of the programs and services for which grant money was received by the school districts and charter schools. S.B. 405 (2015) required the Department of Education to contract for an independent evaluation of the effectiveness of the programs and services provided by the school districts and charter schools that received money. S.B. 405 (2015) also required the Clark County School District and the Washoe County School District to prepare annual reports for submission to the Department of Education and further required the Department of Education to prepare an annual report with the information for submission to the State Board of Education and the Legislature.

This bill extends the Zoom schools program for the 2017-2019 biennium. This bill largely mirrors the provisions of S.B. 405 (2015), but provides for the use of a portion of the money distributed to a Zoom school to provide evidence-based integrated student support systems that are designed to reduce barriers to the academic achievement of low-income pupils.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT 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 English learners or eligible for designation as English learners; 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 2017 Legislature to the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247 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 English learners;



(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;

(g) Engage and involve parents and families of children who are English learners, including, without limitation, increasing effective, culturally appropriate communication with and outreach to parents and families to support the academic achievement of those children; and

(h) Provide evidence-based integrated student support systems that are designed to reduce barriers to the academic achievement of low-income pupils, including, without limitation, academic and non-academic support services.

3. A Zoom elementary school that receives money pursuant to subsection 2 shall offer each of the programs and services prescribed in paragraphs (a) to (h), inclusive, of that subsection so that the Zoom elementary school may offer a comprehensive package of programs and services for pupils who are English learners. 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 3.

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 English learners; 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 2017 Legislature to the Account for Programs for Innovation and the



1 Prevention of Remediation for each Zoom middle school, junior
2 high school and high school of those school districts to carry out one
3 or more of the following:

4 (a) Reduce class sizes for pupils who are English learners and
5 provide English language literacy-based classes;

6 (b) Provide direct instructional intervention to each pupil who is
7 an English learner using the data available from applicable
8 assessments of that pupil;

9 (c) Provide for an extended school day;

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

15 (e) Provide professional development for teachers and other
16 licensed educational personnel regarding effective instructional
17 practices and strategies for pupils who are English learners;

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

23 (g) Engage and involve parents and families of pupils who are
24 English learners, including, without limitation, increasing effective,
25 culturally appropriate communication with and outreach to parents
26 and families to support the academic achievement of those pupils;

27 (h) Provide other evidence-based programs and services that are
28 approved by the Department of Education and that are designed to
29 meet the specific needs of pupils enrolled in the school who are
30 English learners; and

31 (i) Provide evidence-based integrated student support systems
32 that are designed to reduce barriers to the academic achievement of
33 low-income pupils, including, without limitation, academic and non-
34 academic support services.

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

38 7. On or before August 1, 2017, the Clark County School
39 District and the Washoe County School District shall each provide a
40 report to the Department of Education which includes the:

41 (a) Zoom elementary schools identified by the School District
42 pursuant to subsection 1 and the plan of each such school for
43 carrying out the programs and services prescribed by paragraphs (a)
44 to (h), 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 (i), inclusive, of subsection 6.

8. From the money appropriated by the 2017 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 English learners or eligible for designation as English learners; 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 English learners;

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

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

(4) The provision of programs and services for pupils who are English learners, free of charge, before and after school, during the summer or intersession 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;

(5) Engaging and involving parents and families of children who are English learners, 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



1 of the programs and services set forth in this subsection from the list
2 of incentives prescribed by the State Board of Education pursuant to
3 subsection 12; and

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

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

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

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

19 (b) Shall provide a report to the Department of Education in the
20 form prescribed by the Department with the information required for
21 the Department's report pursuant to subsection 15.

22 11. On or before August 17, 2017, the Department of
23 Education shall submit a report to the State Board of Education and
24 the Director of the Legislative Counsel Bureau for transmittal to the
25 Interim Finance Committee which includes:

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

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

35 12. The State Board of Education shall prescribe:

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

42 (b) Criteria and procedures to notify a school district or a charter
43 school that receives money pursuant to this section if the school
44 district or charter school is not implementing the programs and
45 services for which the money was received in accordance with the



1 applicable requirements of this section or in accordance with the
2 performance levels prescribed by the State Board pursuant to
3 subsection 13, including, without limitation, a plan of corrective
4 action for the school district or charter school to follow to meet the
5 requirements of this section or the performance levels.

6 13. The State Board of Education shall prescribe statewide
7 performance levels and outcome indicators to measure the
8 effectiveness of the programs and services for which money is
9 received by the school districts and charter schools pursuant to this
10 section. The performance levels must establish minimum expected
11 levels of performance on a yearly basis based upon the performance
12 results of children who participate in the programs and services. The
13 outcome indicators must be designed to track short-term and long-
14 term impacts on the progress of children who participate in the
15 programs and services, including, without limitation:

16 (a) The number of children who participated;

17 (b) The extent to which the children who participated improved
18 their English language proficiency and literacy levels compared to
19 other children who are English learners or eligible for such a
20 designation who did not participate in the programs and services;
21 and

22 (c) To the extent that a valid comparison may be established, a
23 comparison of the academic achievement and growth in the subject
24 areas of English language arts and mathematics of children who
25 participated in the programs and services to other children who are
26 English learners or eligible for such a designation who did not
27 participate in the programs and services.

28 14. The Department of Education shall contract for an
29 independent evaluation of the effectiveness of the programs and
30 services offered by each Zoom elementary school pursuant to
31 subsection 2, each Zoom middle school, junior high school and high
32 school pursuant to subsection 6 and the programs and services
33 offered by the other school districts and the charter schools pursuant
34 to subsection 8.

35 15. The Clark County School District, the Washoe County
36 School District and the Department of Education shall each prepare
37 an annual report that includes, without limitation:

38 (a) An identification of the schools that received money from
39 the School District or a grant of money from the Department, as
40 applicable.

41 (b) How much money each such school received.

42 (c) A description of the programs or services for which the
43 money was used by each such school.

44 (d) The number of children who participated in a program or
45 received services.



(e) The average per-child expenditure per program or service that was funded.

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

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

(1) 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 English learners.

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

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

(1) The results of the independent evaluation required by subsection 14 of the effectiveness of the programs and services, including, without limitation, data regarding the academic and linguistic achievement and proficiency of children who participated in a program or received a 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 13 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 13.

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, 2018, and January 16, 2019, respectively. The Department shall submit the information reported by those school districts and the information prepared by the Department pursuant to subsection 15:



1 (a) On or before June 15, 2018, to the State Board of Education
2 and the Legislative Committee on Education.

3 (b) On or before February 1, 2019, to the State Board of
4 Education and the Director of the Legislative Counsel Bureau for
5 transmittal to the 80th Session of the Nevada Legislature.

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

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

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

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

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

19 18. The money appropriated by the 2017 Legislature to the
20 Account for Programs for Innovation and the Prevention of
21 Remediation for Zoom schools must be accounted for separately
22 from any other money received by school districts or charter schools
23 of this State and used only for the purposes specified in this section.

24 19. Except as otherwise provided in paragraph (f) of subsection
25 2, paragraph (f) of subsection 6 and subparagraph (6) of paragraph
26 (b) of subsection 8, the money appropriated by the 2017 Legislature
27 to the Account for Programs for Innovation and the Prevention of
28 Remediation for Zoom schools:

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

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

34 20. Upon request of the Legislative Commission, the Clark
35 County School District and the Washoe County School District shall
36 make available to the Legislative Auditor any of the books,
37 accounts, claims, reports, vouchers or other records of information,
38 confidential or otherwise, regardless of their form or location, that
39 the Legislative Auditor deems necessary to conduct an audit of the
40 use of the money distributed by the 2017 Legislature to the Account
41 for Programs for Innovation and the Prevention of Remediation for
42 Zoom schools.

43 21. As used in this section:

44 (a) "English learner" has the meaning ascribed to it in 20 U.S.C.
45 § 7801(20).



1 (b) “Probationary employee” has the meaning ascribed to it in
2 NRS 391.650.

3 **Sec. 2.** Section 3 of chapter 335, Statutes of Nevada 2015, at
4 page 1875, is hereby amended to read as follows:

5 Sec. 3. This act becomes effective on July 1, 2015 ~~H~~ ,
6 *and expires by limitation on June 30, 2017.*

7 **Sec. 3.** This act becomes effective on July 1, 2017, and expires
8 by limitation on June 30, 2019.

