

SENATE BILL NO. 173—SENATORS DONDERO LOOP, CANNIZZARO, BROOKS; DENIS, DONATE, D. HARRIS, LANGE, RATTI AND SCHEIBLE

MARCH 4, 2021

JOINT SPONSORS: ASSEMBLYWOMEN ANDERSON AND TORRES

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR S-1003)

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; authorizing the board of trustees of a school district and the State Public Charter School Authority to submit to the Superintendent of Public Instruction plans to address loss of learning that occurred as a result of the COVID-19 pandemic; requiring the submission to certain entities of certain reports relating to such plans to address loss of learning; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Section 1** of this bill authorizes the board of trustees of each school district and the State Public Charter School Authority to submit to the Superintendent of Public Instruction a plan to address loss of learning that occurred as a result of the COVID-19 pandemic. **Section 1** sets forth certain requirements for the plan to address loss of learning, including, without limitation, the option for pupils to attend summer school either in-person or through a program of virtual learning. **Section 1** further requires the board of trustees of a school district or the governing body of a charter school, as applicable, to provide transportation and certain meals to pupils who attend summer school. **Section 1** sets forth requirements relating to the hiring and payment of teachers and other personnel for summer school. **Section 1** also authorizes the board of trustees of each school district or the State Public Charter School Authority to request to use federal money to administer summer school.



**Section 2** of this bill requires the board of trustees of each school district and the State Public Charter School Authority to submit a report containing certain information relating to summer school to the Superintendent of Public Instruction on or before November 30, 2021. **Section 2** also requires the Superintendent of Public Instruction to submit a compilation of such reports to various governmental entities.

**Section 2** requires the board of trustees of a school district and the State Public Charter School Authority to identify separately for pupils who attended summer school in-person and through a program of virtual learning one or more measures of pupil achievement, including measures that compare the results of any standardized assessment or examination administered in the spring of the 2020-2021 school year with the results of any assessment or examination administered in the fall of the 2021-2022 school year.

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

**Section 1.** 1. Not later than 30 days after the effective date of this act, the board of trustees of each school district and the State Public Charter School Authority may submit to the Superintendent of Public Instruction a plan to address any loss of learning that occurred as a result of the public health crisis caused by the COVID-19 pandemic. The plan must include, without limitation:

(a) The option for pupils to attend summer school either in-person or through a program of virtual learning; and

(b) The manner in which the school district, schools within the school district, the State Public Charter School Authority or charter schools sponsored by the State Public Charter School Authority will target pupils who are most at risk of loss of learning to receive services under the plan, including, without limitation:

(1) Pupils who are members of a household that lacks the financial resources necessary to access services to address loss of learning;

(2) Pupils in grade 11 or 12 who are credit deficient;

(3) Pupils in prekindergarten or kindergarten;

(4) Pupils in grade 1, 2 or 3 who are deficient in the subject areas of mathematics or reading;

(5) Pupils in middle school or high school who are deficient in the subject areas of science, technology, engineering, the arts or mathematics;

(6) Pupils with disabilities;

(7) Pupils who are English learners; and

(8) Pupils who are chronically absent.

2. The board of trustees of a school district or the governing body of a charter school, as applicable, shall provide transportation services and school breakfast and school lunch to pupils who attend summer school pursuant to subsection 1.



3. All persons hired to work in summer school pursuant to subsection 1, including, without limitation, teachers, other licensed personnel and support personnel:

(a) Except as otherwise provided in subsection 4, must already have a contract to work at a school within the school district or the charter school; and

(b) Shall receive compensation for working in summer school based upon the rate in the contract between the employee and the school, in addition to the regular compensation of the employee, subject to any collective bargaining agreement.

4. If a school district or charter school is unable to hire a sufficient number of persons to work in summer school pursuant to paragraph (a) of subsection 3, the school district or charter school may hire retired public employees pursuant to NRS 286.523. If a school district or charter school hires a retired public employee pursuant to this subsection, the public employee must have submitted his or her fingerprints to the school district, governing body of a charter school or Superintendent of Public Instruction, as applicable, for a report on the criminal history of the public employee recently enough that a report on the criminal history of the public employee does not have to be completed again.

5. The compensation that is paid to an employee pursuant to subsection 3 must not be included for the purposes of calculating the future retirement benefits of the employee.

6. The board of trustees of each school district and the State Public Charter School Authority may request to use federal money, including, without limitation, money received by this State to address the effects of the public health crisis caused by the COVID-19 pandemic, to administer summer school pursuant to subsection 1 from the Department of Education. Any money remaining from the receipt of federal money pursuant to this subsection must not be committed for expenditure after December 31, 2021, and must be reverted to the appropriate fund or account on or before that date.

**Sec. 2.** 1. On or before November 30, 2021, the board of trustees of each school district and the State Public Charter School Authority shall submit to the Superintendent of Public Instruction a report on any plan to address any loss of learning developed pursuant to section 1 of this act. On or before December 31, 2021, the Superintendent of Public Instruction shall submit a compilation of the reports it receives pursuant to this subsection to:

(a) The Fiscal Analysis Division of the Legislative Counsel Bureau;

(b) The Governor;

(c) The Interim Finance Committee; and

(d) The Legislative Committee on Education.



2. The report submitted pursuant to subsection 1 must, without limitation:

(a) Identify the results of summer school provided to pupils pursuant to section 1 of this act;

(b) Outline the amount of federal money received and how federal, state and local money was used to administer summer school;

(c) State the number of pupils who attended summer school in-person;

(d) State the number of pupils who attended summer school through a program of virtual learning;

(e) State the number of pupils who used transportation services;

(f) State the number of pupils who received school breakfast or school lunch; and

(g) Identify separately for pupils who attended summer school in-person and pupils who attended summer school through a program of virtual learning:

(1) One or more measures of pupil achievement, including, without limitation, measures that compare the results of any standardized assessment or examination administered by the school district or charter school during the spring of the 2020-2021 school year with the results of any standardized assessment or examination administered during the fall of the 2021-2022 school year; and

(2) The attendance of the pupils.

**Sec. 3.** This act becomes effective upon passage and approval and expires by limitation on January 1, 2022.

