

Amendment No. 934

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| Senate Amendment to Senate Bill No. 98 First Reprint | (BDR 34-444) |
| Proposed by: Senator Cannizzaro | |
| Amends: Summary: No Title: No 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 newly added language; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~fuchsia double strikethrough~~ is new language in the bill proposed to be deleted in this amendment; (6) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment.

SHORT FORM AMENDMENT

Section 4.5 of this act is the only section affected by this amendment.

AAK



Date: 6/2/2023

S.B. No. 98—Revises provisions relating to education. (BDR 34-444)



If this amendment is adopted, the Legislative Counsel's Digest will be changed as follows:

Legislative Counsel's Digest:

Existing law requires the preparation of an annual report of accountability for each school district and sponsor of charter schools in this State, as well as for all public schools in the State as a whole. (NRS 385A.010-385A.520) Existing law imposes certain duties on the Superintendent of Public Instruction relating to the accountability of public schools. (NRS 385A.080) **Section 3.3** of this bill additionally requires the Superintendent to establish metrics of performance for public schools for each grade and, along with each school district and charter school, publish such metrics on their respective Internet websites and report data on such metrics to the Governor, State Board of Education and Director of the Legislative Counsel Bureau for transmission to the Joint Interim Standing Committee on Education.

Existing law creates the Education Stabilization Account in the State Education Fund and allows the Interim Finance Committee to authorize the transfer of money in the Account to the State Education Fund if actual enrollment growth in a fiscal year exceeds projected enrollment growth or if the collection of revenue in a fiscal year results in the State Education Fund receiving 97 percent or less of the money authorized for expenditure from the State Education Fund. (NRS 387.1213) **Section 3.5** of this bill additionally authorizes the Interim Finance Committee to transfer money from the Account to the State Education Fund if: (1) money deposited in the State Education Fund was found by an audit to have been deposited in error; or (2) an error in the application of the Pupil-Centered Funding Plan by the Department of Education creates a shortfall in the State Education Fund.

Existing law creates the Commission on School Funding and authorizes the Commission to meet only between July 1 of an odd-numbered year and September 30 of the subsequent even-numbered year. (NRS 387.1246) **Section 4** of this bill: (1) requires the Commission to meet monthly; (2) authorizes the Commission to meet in person or, at the discretion of the Chair of the Commission, by use of a remote technology system; (3) authorizes the Commission to meet between July 1 of an odd-numbered year and December 31 of the subsequent even-numbered year; and (4) authorizes the Commission to also meet during any regular or special session of the Legislature, if requested to do so by the chair of the Senate Standing Committee on Education, Assembly Standing Committee on Education, Senate Standing Committee on Finance, Assembly Standing Committee on Ways and Means or Interim Finance Committee. **Section 4.5** of this bill expands the duties of the Commission by requiring the Commission to: (1) review the academic progress made by pupils in each public school; and (2) review and consider strategies to improve the accessibility and ensure the equitability of existing and new programs within and between public schools. **Section 7.5** of this bill: (1) expires the terms of incumbent members of the Commission on June 30, 2023; (2) requires the appointment or reappointment of members of the Commission on or before July 1, 2023, to staggered terms; and (3) requires the Commission to hold its first meeting during Fiscal Year 2023-2024 on or before September 1, 2023.

Section 7 of this bill requires the Commission to conduct interim studies on school funding and school accountability. **Section 7** requires the interim study on school funding to examine topics relating to: (1) the funding of building improvement and modernization projects by small school districts; (2) the number of professional educators graduating from institutions of higher education in this State; (3) the classification and compensation of professional educators and support personnel at public schools; and (4) changes to the laws governing sales and use tax and property tax to fully fund public schools in this State at an optimal level of funding. **Section 7** requires the interim study on school accountability to include recommendations for performance metrics to assess the impact of increased investments in K-12 public education and accountability measures to ensure the effective use of such investments. **Section 6** of this bill appropriates \$1,500,000 from the State General

Fund to the Commission for the cost of the studies required by **section 7. Sections 6.3 and 6.5** of this bill appropriate money for the payment of travel and per diem expenses for members of the Commission on School Funding and employees of the Department of Education, respectively, for attending meetings of the Commission.

Section 4.5 of Senate Bill No. 98 First Reprint is hereby amended as follows:

Sec. 4.5. NRS 387.12463 is hereby amended to read as follows:

387.12463 1. The Commission shall:

(a) Provide guidance to school districts and the Department on the implementation of the Pupil-Centered Funding Plan.

(b) Monitor the implementation of the Pupil-Centered Funding Plan and make any recommendations to the Joint Interim Standing Committee on Education that the Commission determines would, within the limits of appropriated funding, improve the implementation of the Pupil-Centered Funding Plan or correct any deficiencies of the Department or any school district or public school in carrying out the Pupil-Centered Funding Plan.

(c) Review the statewide base per pupil funding amount, the adjusted base per pupil funding for each school district and the multiplier for weighted funding for each category of pupils appropriated by law pursuant to NRS 387.1214 for each biennium and recommend any revisions the Commission determines to be appropriate to create an optimal level of funding for the public schools in this State, including, without limitation, by recommending the creation or elimination of one or more categories of pupils to receive additional weighted funding. If the Commission makes a recommendation pursuant to this paragraph which would require more money to implement than was appropriated from the State Education Fund in the immediately preceding biennium, the Commission shall also identify a method to fully fund the recommendation within 10 years after the date of the recommendation.

(d) Review the laws and regulations of this State relating to education, make recommendations to the Joint Interim Standing Committee on Education for any revision of such laws and regulations that the Commission determines would improve the efficiency or effectiveness of public education in this State and notify each school district of each such recommendation.

(e) Review and recommend to the Department revisions of the cost adjustment factors for each county established pursuant to NRS 387.1215 and the method for calculating the attendance area adjustment established pursuant to NRS 387.1218.

(f) Review the academic progress made by pupils in each public school since the implementation of the Pupil-Centered Funding Plan, including, without limitation, any changes to the academic progress of such pupils as the result of any additional money provided to each such school by the Pupil-Centered Funding Plan. In performing such a review, the Commission shall:

(I) Use metrics to measure the academic achievement of pupils which include, without limitation:

(I) The rate of graduation of pupils from high school by type of diploma;

(II) The performance of pupils on standardized examinations in math, reading and science;

(III) The number of credentials or other certifications in fields of career and technical education earned by pupils;

1 (IV) *The number of pupils who earn a passing score on an advanced*
2 *placement examination;*

3 (V) *The number of pupils who earn a passing score on an*
4 *international baccalaureate examination;*

5 (VI) *The percentage of pupils in each school who lack a sufficient*
6 *number of credits to graduate by the end of their 12th grade year;*

7 (VII) *The percentage of pupils in each school who drop out;*

8 (VIII) *The number of pupils who enroll in higher education upon*
9 *graduation;*

10 (IX) *The number of pupils who enroll in a vocational or technical*
11 *school or apprenticeship training program;*

12 (X) *The attendance rate for pupils;*

13 (XI) *The number of violent acts by pupils and disciplinary actions*
14 *against pupils; and*

15 (XII) *Any other metric prescribed by the Commission;*

16 (2) *Use metrics to measure the improvement of pupils enrolled in*
17 *elementary school in literacy which include, without limitation:*

18 (I) *The literacy rate for pupils in first, third and fifth grades;*

19 (II) *The number of pupils in elementary school who were promoted*
20 *to the next grade after testing below proficient in reading in the immediately*
21 *preceding school year, separated by grade level and by level of performance on*
22 *the relevant test;*

23 (III) *The number of schools that employ a licensed teacher*
24 *designated to serve as a literacy specialist pursuant to NRS 388.159 and the*
25 *number of schools that fail to employ and designate such a licensed teacher; and*

26 (IV) *Any other metric prescribed by the Commission;*

27 (3) *Use metrics to measure the ability of public schools to hire and retain*
28 *sufficient staff to meet the needs of the public schools which include, without*
29 *limitation:*

30 (I) *The rate of vacancies in positions for teachers, support staff and*
31 *administrators;*

32 (II) *The attendance rate for teachers;*

33 (III) *The retention rate for teachers;*

34 (IV) *The number of schools and classrooms within each school in*
35 *which the number of pupils in attendance exceeds the designed capacity for the*
36 *school or classroom;*

37 (V) *The number of classes taught by a substitute teacher for more*
38 *than 25 percent of the school year; and*

39 (VI) *Any other metric prescribed by the Commission;*

40 (4) *Use metrics to measure the extent to which schools meet the needs*
41 *and expectations of pupils, parents or legal guardians of pupils, teachers and*
42 *administrators which include, without limitation:*

43 (I) *The results of an annual survey of satisfaction of school*
44 *employees;*

45 (II) *The results of an annual survey of satisfaction of pupils, parents*
46 *or legal guardians of pupils and graduates; and*

47 (III) *Any other metric prescribed by the Commission;*

48 (5) *Identify the progress made by each school, school district and charter*
49 *school on improving the literacy of pupils enrolled in elementary school;*

50 (6) *Make recommendations for strategies to increase the efficacy,*
51 *efficiency, transparency and accountability of public schools; and*

52 (7) *Make recommendations to the Department, school districts and*
53 *charter schools to improve the reporting, tracking, monitoring, analyzing and*

1 *dissemination of data relating to pupil achievement and financial accountability,*
2 *including, without limitation, revisions to the metrics identified in subparagraphs*
3 *(1) to (4), inclusive.*

4 *(g) Review and consider strategies to improve the accessibility and ensure the*
5 *equitability of existing and new programs for pupils within and between public*
6 *schools, including, without limitation, open zoning.*

7 2. The Commission shall present any recommendations pursuant to
8 paragraphs (a) to (d), inclusive, of subsection 1 at a meeting of the Joint Interim
9 Standing Committee on Education for consideration and revision by the
10 Committee. The Joint Interim Standing Committee on Education shall review each
11 recommendation of the Commission and determine whether to transmit the
12 recommendation or a revised version of the recommendation to the Governor or the
13 Legislature.