

SENATE BILL NO. 504—COMMITTEE ON FINANCE

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

MARCH 27, 2017

Referred to Committee on Education

SUMMARY—Extends and revises the Zoom schools program for the 2017-2019 biennium. (BDR S-1098)

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

~

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; authorizing the board of trustees of certain school districts to distribute the money appropriated to implement the program to middle schools, junior high schools and high schools that do not operate as Zoom schools but have a high percentage of pupils who are English learners, to the extent that money is available for this purpose; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

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

11 The 78th Session of the Nevada Legislature continued and expanded the Zoom
12 schools program to middle schools, junior high schools and high schools in the
13 Clark County School District and the Washoe County School District for the 2015-
14 2017 biennium through the enactment of Senate Bill No. 405. (Chapter 335,
15 Statutes of Nevada 2015, p. 1869) S.B. 405 (2015) also authorized the other school
16 districts and the governing bodies of charter schools to apply to the Department of



17 Education for a grant of money from the appropriation made by the 2015
18 Legislature to the Account for Programs for Innovation and the Prevention of
19 Remediation for Zoom schools to provide programs and services during the 2015-
20 2017 biennium for children who were limited English proficient or eligible for such
21 designation. S.B. 405 (2015) required the school districts and charter schools that
22 received money for Zoom schools to submit a report to the Department at the
23 beginning of the biennium to identify the plan of the Zoom schools in the districts
24 or charter schools to carry out the programs and services required by S.B. 405
25 (2015). The Department of Education was then required to submit a report to the
26 State Board of Education and to the Legislature with such information. S.B. 405
27 (2015) required the State Board of Education to prescribe statewide performance
28 levels and outcome indicators to measure the effectiveness of the programs and
29 services for which a grant money was received by the school districts and charter
30 schools. S.B. 405 (2015) required the Department of Education to contract for an
31 independent evaluation of the effectiveness of the programs and services provided
32 by the school districts and charter schools that received money. S.B. 405 (2015)
33 also required the Clark County School District and the Washoe County School
34 District to prepare annual reports for submission to the Department of Education
35 and further required the Department to prepare an annual report with the
36 information for submission to the State Board of Education and the Legislature.

37 This bill largely mirrors the provisions of S.B. 405 (2015) and extends the
38 Zoom schools program for the 2017-2019 biennium. This bill requires the
39 elementary schools, middle schools, junior high schools and high schools that were
40 identified to operate as Zoom schools for the 2015-2017 biennium to continue to
41 operate as Zoom schools for the 2017-2019 biennium. This bill also authorizes the
42 Board of Trustees of Clark County School District and the Board of Trustees of the
43 Washoe County School District to distribute the money appropriated by the 2017
44 Legislature to implement the Zoom schools program in middle schools, junior high
45 schools or high schools within the school district that do not operate as Zoom
46 schools but have a high percentage of pupils who are English learners, to the extent
47 that money is available for this purpose.

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

1 **Section 1.** 1. The elementary schools identified to operate as
2 Zoom elementary schools by the Board of Trustees of the Clark
3 County School District and the Board of Trustees of the Washoe
4 County School District for the 2015-2017 biennium shall continue
5 to operate as Zoom elementary schools for the 2017-2019 biennium.

6 2. The Board of Trustees of the Clark County School District
7 and the Board of Trustees of the Washoe County School District
8 shall distribute the money appropriated by the 2017 Legislature to
9 the Account for Programs for Innovation and the Prevention of
10 Remediation created by NRS 387.1247 for each Zoom elementary
11 school of those school districts to:

- 12 (a) Provide prekindergarten programs free of charge;
13 (b) Expand full-day kindergarten classes;
14 (c) Operate reading skills centers;



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

6 (e) Provide professional development for teachers and other
7 licensed educational personnel regarding effective instructional
8 practices and strategies for children who are English learners;

9 (f) Offer recruitment and retention incentives for the teachers
10 and other licensed educational personnel who provide any of the
11 programs and services set forth in this subsection from the list of
12 incentives prescribed by the State Board of Education pursuant to
13 subsection 13;

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

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

22 (i) Provide other evidence-based programs and services that are
23 approved by the Department of Education and are designed to
24 reduce barriers to the academic achievement of low-income pupils,
25 including, without limitation, academic and non-academic supports.

26 3. A Zoom elementary school that receives money pursuant to
27 subsection 2 shall offer each of the programs and services
28 prescribed in paragraphs (a) to (i), inclusive, of that subsection so
29 that the Zoom elementary school may offer a comprehensive
30 package of programs and services for pupils who are English
31 learners. A Zoom elementary school shall not use the money for any
32 other purpose and shall use a majority of the money distributed
33 pursuant to subsection 2 for the purposes described in paragraphs (a)
34 to (d), inclusive, (h) and (i) of subsection 2.

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

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

40 (b) Instructional intervention to enable pupils to overcome such
41 problems and barriers by the completion of grade 3.

42 5. The middle schools, junior high schools or high schools
43 identified to operate as Zoom middle schools, junior high schools or
44 high schools by the Board of Trustees of the Clark County School
45 District and the Board of Trustees of the Washoe County School



1 District for the 2015-2017 biennium shall continue to operate as
2 Zoom middle schools, junior high schools or high schools, as
3 applicable, for the 2017-2019 biennium.

4 6. The Clark County School District and the Washoe County
5 School District shall distribute the money appropriated by the 2017
6 Legislature to the Account for Programs for Innovation and the
7 Prevention of Remediation for each Zoom middle school, junior
8 high school and high school of those school districts to carry out one
9 or more of the following:

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

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

15 (c) Provide for an extended school day;

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

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

24 (f) Offer recruitment and retention incentives for teachers and
25 other licensed educational personnel who provide any of the
26 programs and services set forth in this subsection from the list of
27 incentives prescribed by the State Board of Education pursuant to
28 subsection 13;

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

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

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

41 ➤ The Clark County School District and the Washoe County School
42 District shall use a majority of the money distributed pursuant to
43 this subsection for the purposes described in paragraphs (a) to (d),
44 inclusive, (h) and (i).



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

4 (a) The names of the elementary schools operating as Zoom
5 schools pursuant to subsection 1 and the plan of each such school
6 for carrying out the programs and services prescribed by paragraphs
7 (a) to (i), inclusive, of subsection 2;

8 (b) The names of the middle schools, junior high schools and
9 high schools operating as Zoom schools pursuant to subsection 5
10 and the plan of each school for carrying out the programs and
11 services described in paragraphs (a) to (i), inclusive, of subsection 6;
12 and

13 (c) Evidence of the progress of pupils at each Zoom school, as
14 measured by common standards and assessments, including, without
15 limitation, interim assessments identified by the State Board of
16 Education, if the State Board has identified such assessments.

17 8. From the money appropriated by the 2017 Legislature to the
18 Account for Programs for Innovation and the Prevention of
19 Remediation for Zoom schools or charter schools or school districts
20 other than the Clark County School District or Washoe County
21 School District, the Department of Education shall provide grants of
22 money to the sponsors of such charter schools and the school
23 districts. The sponsor of such a charter school and the board of
24 trustees of such a school district may submit an application to the
25 Department on a form prescribed by the Department that includes,
26 without limitation, the number of pupils in the school district or
27 charter school, as applicable, who are English learners or eligible for
28 designation as English learners.

29 9. The Department of Education shall award grants of money
30 to school districts and the sponsors of charter schools that submit
31 applications pursuant to subsection 8 based upon the number of
32 pupils enrolled in each such school district or charter school, as
33 applicable, who are English learners or eligible for designation as
34 English learners.

35 10. A school district and a sponsor of a charter school that
36 receives a grant of money pursuant to subsections 8 and 9 shall:

37 (a) Use a majority of the money for the purposes described in
38 paragraphs (a) to (d), inclusive, (h) and (i) of subsection 6; and

39 (b) Provide a report to the Department of Education in the form
40 prescribed by the Department with the information required for the
41 Department's report pursuant to subsection 16.

42 11. To the extent money is available for this purpose, the
43 Board of Trustees of the Clark County School District and the Board
44 of Trustees of the Washoe County School District may distribute the
45 money appropriated by the 2017 Legislature to the Account for



1 Programs for Innovation and the Prevention of Remediation created
2 by NRS 387.1247 to middle schools, junior high schools or high
3 schools within each school district that have a high percentage of
4 pupils who are English learners but do not operate as Zoom schools
5 to implement the policy for the instruction to teach English to pupils
6 who are English learners developed pursuant to NRS 388.407.

7 12. On or before August 17, 2017, the Department of
8 Education shall submit a report to the State Board of Education and
9 the Director of the Legislative Counsel Bureau for transmittal to the
10 Interim Finance Committee which:

11 (a) Includes the information reported by the Clark County
12 School District and the Washoe County School District pursuant to
13 subsection 7; and

14 (b) Identifies the school districts and charter schools for which a
15 grant of money is approved pursuant to subsections 8 and 9.

16 13. The State Board of Education shall prescribe:

17 (a) A list of recruitment and retention incentives for the school
18 districts and the sponsors of charter schools that receive a
19 distribution of money pursuant to this section to offer to teachers
20 and other licensed educational personnel pursuant to paragraph (f)
21 of subsection 2 and paragraph (f) of subsection 6; and

22 (b) Criteria and procedures to notify a school district or a charter
23 school that receives money pursuant to this section if the school
24 district or charter school is not implementing the programs and
25 services for which the money was received in accordance with the
26 applicable requirements of this section or in accordance with the
27 performance levels prescribed by the State Board pursuant to
28 subsection 14, including, without limitation, a plan of corrective
29 action for the school district or charter school to follow to meet the
30 requirements of this section or the performance levels prescribed by
31 the State Board.

32 14. The State Board of Education shall prescribe statewide
33 performance levels and outcome indicators to measure the
34 effectiveness of the programs and services for which money is
35 received by the school districts and charter schools pursuant to this
36 section. The performance levels must establish minimum expected
37 levels of performance on a yearly basis based upon the performance
38 results of children who participate in the programs and services. The
39 outcome indicators must be designed to track short-term and long-
40 term impacts on the progress of children who participate in the
41 programs and services, including, without limitation:

42 (a) The number of children who participated;

43 (b) The extent to which the children who participated improved
44 their English language proficiency and literacy levels compared to
45 other children who are English learners or eligible for such a



1 designation who did not participate in the programs and services;
2 and

3 (c) To the extent that a valid comparison may be established, a
4 comparison of the academic achievement and growth in the subject
5 areas of English language arts and mathematics of children who
6 participated in the programs and services to other children who are
7 English learners or eligible for such a designation who did not
8 participate in the programs and services.

9 15. The Department of Education shall contract for an
10 independent evaluation of the effectiveness of the programs and
11 services offered by each Zoom elementary school pursuant to
12 subsection 2, each Zoom middle school, junior high school and high
13 school pursuant to subsection 6 and the programs and services
14 offered by other school districts and charter schools pursuant to
15 subsection 10.

16 16. The Clark County School District, the Washoe County
17 School District and the Department of Education shall each prepare
18 an annual report that includes, without limitation:

19 (a) An identification of the schools that received money from
20 the School District or a grant of money from the Department, as
21 applicable, pursuant to this section.

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

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

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

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

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

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

36 (1) For the continuation or expansion of programs and
37 services that are identified as effective in improving the academic
38 and linguistic achievement and proficiency of children who are
39 English learners.

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

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



1 (1) The results of the independent evaluation required by
2 subsection 15 of the effectiveness of the programs and services,
3 including, without limitation, data regarding the academic and
4 linguistic achievement and proficiency of children who participated
5 in a program or received a service;

6 (2) Whether a school district or charter school was notified
7 that it was not implementing the programs and services for which it
8 received money pursuant to this section in accordance with the
9 applicable requirements of this section or in accordance with the
10 performance levels prescribed by the State Board of Education
11 pursuant to subsection 14 and the status of such a school district or
12 charter school, if any, in complying with a plan for corrective
13 action; and

14 (3) Whether each school district or charter school that
15 received money pursuant to this section met the performance
16 levels prescribed by the State Board of Education pursuant to
17 subsection 14.

18 17. The annual report prepared by the Clark County School
19 District and the Washoe County School District pursuant to
20 subsection 16 must be submitted to the Department of Education on
21 or before June 1, 2018, and January 16, 2019, respectively. The
22 Department shall submit the information reported by those school
23 districts and the information prepared by the Department pursuant to
24 subsection 16:

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

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

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

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

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

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

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

43 19. The money appropriated by the 2017 Legislature to the
44 Account for Programs for Innovation and the Prevention of
45 Remediation for Zoom schools must be accounted for separately



1 from any other money received by school districts or charter schools
2 of this State and used only for the purposes specified in this section.

3 20. Except as otherwise provided in paragraph (f) of subsection
4 2 and paragraph (f) of subsection 6, the money appropriated by the
5 2017 Legislature to the Account for Programs for Innovation and
6 the Prevention of Remediation for Zoom schools:

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

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

12 21. Any money awarded to a school district or charter school to
13 carry out the provisions of this section must be accounted for
14 separately from any other money received by the school district or
15 charter school.

16 22. Upon request of the Legislative Commission, the Clark
17 County School District and the Washoe County School District shall
18 make available to the Legislative Auditor any of the books,
19 accounts, claims, reports, vouchers or other records of information,
20 confidential or otherwise, regardless of their form or location, that
21 the Legislative Auditor deems necessary to conduct an audit of the
22 use of the money distributed by the 2017 Legislature to the Account
23 for Programs for Innovation and the Prevention of Remediation for
24 Zoom schools.

25 23. As used in this section:

26 (a) "English learner" has the meaning ascribed to it in 20 U.S.C.
27 § 7801(20).

28 (b) "Probationary employee" has the meaning ascribed to it in
29 NRS 391.650.

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

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

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

