

**MINUTES OF THE MEETING OF THE
SENATE COMMITTEE ON FINANCE
AND
ASSEMBLY COMMITTEE ON WAYS AND MEANS
SUBCOMMITTEES ON K-12/HIGHER EDUCATION/CIP**

**Eighty-second Session
April 26, 2023**

The joint meeting of the Subcommittees on K-12/Higher Education/CIP of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order by Chair Marilyn Dondero Loop at 8:10 a.m. on Wednesday, April 26, 2023, in Room 3137 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator Marilyn Dondero Loop, Chair
Senator Nicole J. Cannizzaro
Senator Dina Neal
Senator Heidi Seevers Gansert
Senator Robin L. Titus

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

Assemblywoman Shea Backus, Chair
Assemblywoman Sandra Jauregui, Vice Chair
Assemblywoman Heidi Kasama
Assemblyman Cameron (C.H.) Miller
Assemblywoman Daniele Monroe-Moreno
Assemblyman P.K. O'Neill
Assemblywoman Sarah Peters

COMMITTEE MEMBERS ABSENT:

Assemblyman Steve Yeager (Excused)

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STAFF MEMBERS PRESENT:

Wayne Thorley, Senate Fiscal Analyst
Sarah Coffman, Assembly Fiscal Analyst
Adam Drost, Principal Program Analyst
Lilliana Camacho-Polkow, Program Analyst
Madison Ryan, Program Analyst
Dee Chekowitz-Dykes, Committee Secretary
Marie Bell, Committee Secretary

OTHERS PRESENT:

Jhone M. Ebert, Superintendent of Public Instruction, Nevada Department of Education
Megan Peterson, Deputy Superintendent, Student Investment Division, Nevada Department of Education
Chris Daly, Nevada State Education Association
Jessica Fernainy
Brent Busboom, Washoe Education Association
Lea Case, Boys Town Nevada; Children's Advocacy Alliance

CHAIR DONDERO LOOP:

We will be hearing the second half of the Nevada Department of Education (NDE) budget. The first half was previously heard on April 12, 2023. We will only be considering NDE operational budgets. The funding for K-12 will be heard at a later date.

LILLIANA CAMACHO-POLKOW (Program Analyst):

The Subcommittees will be closing 13 NDE accounts. The Assessments and Accountability budget number (B/A) 101-2697 was heard by the Subcommittees on March 8, 2023.

EDUCATION

K-12 EDUCATION

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NDE - Assessments and Accountability — Budget Page K-12 EDUCATION-51
(Volume I)
Budget Account 101-2697

This budget is detailed on pages 3 through 12 of the K-12/Higher Education/CIP Joint Subcommittee Closing List #4 dated April 26, 2023, ([Exhibit C](#)) and includes funding for administering student assessments required pursuant to chapters 389 and 390 of the *Nevada Revised Statutes* (NRS).

There are three Major Closing Issues in this budget. Major Closing Issue 1 is the increased funding for assessment and reporting contracts on pages 4 through 7 of [Exhibit C](#). The Governor recommends General Fund appropriations of \$3.3 million over the 2023-2025 biennium to fund projected increases in assessment and reporting contracts due to expire during the 2023-2025 biennium.

The Nevada Department of Education indicates vendors have conveyed their costs are increasing by 7 to 12 percent; however, no formal documentation was provided with this funding recommendation. Fiscal staff requested documentation to support the projected 10 percent increase in costs for vendor contracts, but the Department did not provide any supporting documentation and instead provided calculations on the bottom of page 4 of [Exhibit C](#) for how the requested increases were calculated in each year. You will note each year a 10 percent increase of the contract amount is projected and fiscal year (FY) 2024-2025 is the compounded amount.

During the budget hearing on March 8, 2023, the Department indicated the 10 percent projected inflationary increase for assessment contracts was determined through verbal conversations. Subcommittee members expressed concerns regarding the selection of new vendors due to the Department's experience with the NDE's former assessment vendor, Measured Progress, and the numerous issues the vendor had providing services to the Department. The Nevada Department of Education indicated it had ceased doing business with Measured Progress since 2015.

After the budget hearing, the Department indicated calculations provided in the Executive Budget are not correct and it appears the FY 2024-2025 projected

costs would require an additional \$1.6 million to fund the contracts with the compounded 10 percent inflationary increase to provide the projected funding of \$19.3 million as provided in the earlier table. Despite this error, the Office of the Governor, Office of Finance (GFO) did not recommend a budget amendment for the \$1.6 million shortfall.

If the NDE's projections are correct, the Department may not have enough funding to cover these projected increases. The Subcommittees could consider recommending additional General Fund appropriations of \$1.6 million in FY 2024-2025 be provided to cover the calculation error.

Alternatively, the Subcommittees could choose to recommend approval of the amounts as reflected in the Executive Budget since these are only projected increases. If needed, the NDE could request supplemental General Fund appropriations during the Eighty-third Legislative Session, and the Department could transfer General Fund appropriations related to any possible savings from FY 2023-2024 into FY 2024-2025, as indicated in Other Closing Item 5, as detailed on page 11 of [Exhibit C](#).

Although it appears inflationary increases may increase the cost of assessments for the NDE, most of the contracts with the vendors would not be established until the 2023-2024 Interim. Fiscal staff has no means of substantiating the Department's estimated expenditure increases. If the Subcommittees wish to recommend approval of decision unit E-226 in B/A 101-2697, they may wish to also place controls on the additional funding to ensure the additional funding is required by the NDE, and the funding could be placed in reserve.

E-226 Efficiency & Innovation — Page K-12 EDUCATION-53

Once the NDE has updated contracts in place that reflect actual costs for these assessments, the NDE could request Interim Finance Committee (IFC) approval to transfer this funding from reserves to an expenditure category.

Depending on the Subcommittees' decision on this issue, it may impact other department budgets. Fiscal staff requests authority to enter technical adjustments including adjustments to the transfer of funding for the Nevada Alternative Assessment, Other Closing Item 3 on page 10 of [Exhibit C](#),

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to reflect the final recommendations of the Subcommittees for decision units E-901 in B/A 101-2697 and decision unit E-901 in B/A 101-2715, the Individuals with Disabilities Education Act (IDEA), which will be discussed later.

E-901 Transfers — Page K-12 EDUCATION-55

NDE - Individuals With Disabilities Education Act — Budget Page K-12
EDUCATION-111 (Volume I)
Budget Account 101-2715

E-901 Transfers — Page K-12 EDUCATION-115

The Subcommittees could consider several options. Option 1 would not approve the Governor's recommendation for General Fund appropriations of \$1.6 million in FY 2023-2024 and \$1.8 million in FY 2024-2025 to fund projected increases in assessments and reporting contracts.

Option 2 would approve the Governor's recommendation for General Fund appropriations of \$1.6 million in FY 2023-2024 and \$1.8 million in FY 2024-2025 to fund projected increases in assessments and reporting contracts.

Option 3 would approve the Governor's recommendation for General Fund appropriations of \$1.6 million in FY 2023-2024 and \$1.8 million in FY 2024-2025, approving an additional \$1.6 million in FY 2024-2025 to fund projected increases in assessments and reporting contracts including the amount miscalculated in the Executive Budget.

Option 4 applies if the Subcommittees recommend Option 2 or 3. Do the Subcommittees also wish to consider recommending this funding be placed in reserve, which would generally require IFC approval before it could be used, thereby requiring the Department to provide additional justification before using this reserve funding?

Option 5 provides Fiscal staff with authority to make technical adjustments, including adjustments to the transfer of funding for the Nevada Alternative Assessment in Other Closing Item 3 to reflect the final recommendations of the

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Subcommittees for decision unit E-901 in B/A 101-2715, and any other necessary technical adjustments.

SENATOR NEAL:

I was listening to Fiscal staff say that there was not any formal documentation submitted. Why was that not submitted?

JHONE M. EBERT (Superintendent of Public Instruction, Nevada Department of Education):

As an example, we are going through the bid process for our college and career readiness assessment, and that bid has not been completed. We do not know what the exact amount will be. We know what our prior contracts have been, and we are tracking across the Nation how bids are coming in.

We also had verbal conversations with companies as to what they see regarding increases, with the economy, inflation and everything else. These were our educated estimates on what those contracts would be, but we do not have an exact number because we are not in those contracts at this time.

SENATOR NEAL:

I distinctly remember the Clark County School District (CCSD) saying it did not have either curriculum or assessments. How would this work for CCSD if it is saying it does not have curriculum? Tell me if something has changed since January to now that would make these assessments make sense and where the data is going to represent what the children are being taught.

MS. EBERT:

The college and career readiness assessments have been in place since the reauthorization of the U.S. Department of Education Every Student Succeeds Act (ESSA). The State has had the American College Testing (ACT) assessment in place since that time. All of the school districts, including CCSD, are required to have the coursework in place that prepares the students to be successful in whichever college and career readiness assessment is in place. In Nevada, it is the ACT. Those pieces are the responsibility of each school district to have in place, and it is the responsibility of the State to measure student progress as they move forward. We publish that data every year. The funding we are asking for measures the progress on those assessments.

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SENATOR NEAL:

Does CCSD have curriculum or not?

MS. EBERT:

I am trying to recall if we have done an audit recently in regard to curriculum. Our responsibility as a State is to make sure that the standards and the expectations are in place. It is incumbent upon each of the school districts to have those resources available because the funding is provided at the State level. I would need to get back to you regarding the last time we did an audit in that area, but the expectation is the curriculum is 100 percent there.

CHAIR DONDERO LOOP:

There is a seven-year cycle for all curriculum which means, for example, if I am a high school or an elementary school, there is a request for proposal put out for new math books. When that happens, the math book is chosen by the school district, then it is taken to the State, where it okays that choice, and puts it on the State curriculum. On the NDE website, is a list of approved curriculum materials.

Once that happens in a school district, if they have just purchased a math book they have four years to make that switchover. I could be off on the timing, but if a school district did not have curriculum within that period, that would be their choice, not the NDE's choice. Is that correct?

MS. EBERT:

Yes, and the State has standards every school district is required to meet.

We also have a process, as you mentioned where materials are on a list. We just finished the English Language Arts (ELA) curriculum and include the school districts and experts in the area. Those lists are made available. There is not a specific timeframe they must purchase those materials in, but as we know with all the research that continues to come out and especially with the science of reading, those materials need to be in our classrooms and supporting learning.

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CHAIR DONDERO LOOP:

We hear educators say we do not have current curriculum. I recognize the finance of that is a different piece. Would it be accurate if somebody said they are teaching government out of a book that says George Bush is president, that is a choice a school or a school district made to not update the curriculum?

MS. EBERT:

That would be accurate. That is a school district making the determination on where the resources are allocated within that district.

CHAIR DONDERO LOOP:

I would accept a motion that we approve the Governor's recommendation for General Fund appropriations of \$1.6 million in FY 2023-2024 and \$1.8 million in FY 2024-2025 to fund projected increases in assessments and reporting contracts including the miscalculated amount in the Executive Budget and recommend funding be placed in reserve, which would generally require IFC approval before it would be used, thereby requiring the Department to provide additional justification before using this reserve funding, and provide Fiscal staff with the authority to make technical adjustments including adjustments to the transfer of funding for the Nevada Alternative Assessment to reflect the final recommendations of the Subcommittees for that decision unit in the IDEA budget and other necessary technical adjustments.

ASSEMBLYWOMAN BACKUS:

Are we deciding on Option 2 and not Option 3?

CHAIR DONDERO LOOP:

Yes.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR GENERAL FUND APPROPRIATIONS OF \$1.6 MILLION IN FY 2023-2024 AND \$1.8 MILLION IN FY 2024-2025 TO FUND PROJECTED INCREASES IN ASSESSMENTS AND REPORTING CONTRACTS IN B/A 101-2697 DECISION UNIT E-226 INCLUDING THE MISCALCULATED AMOUNT IN THE EXECUTIVE BUDGET; AND RECOMMEND PLACING THIS FUNDING IN RESERVE TO GENERALLY

REQUIRE IFC APPROVAL BEFORE IT COULD BE USED, THEREBY REQUIRING THE NDE TO PROVIDE ADDITIONAL JUSTIFICATION BEFORE USING THE RESERVE FUNDING; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING ADJUSTMENTS TO THE TRANSFER OF FUNDING, DECISION UNIT E-901 IN B/A 101-2697, FOR THE NEVADA ALTERNATIVE ASSESSMENT TO REFLECT THE FINAL RECOMMENDATIONS OF THE SUBCOMMITTEES FOR DECISION UNIT E-901 IN IDEA B/A 101-2715 AND ANY OTHER NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLY MEMBERS KASAMA AND MILLER WERE EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR CANNIZZARO WAS EXCUSED FOR THE VOTE.)

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Ms. CAMACHO-POLKOW:

Major Closing Issue 2 in B/A 101-2697 is the Measures of Academic Progress Assessment funding in decision unit E-227 found on pages 7 and 8 of [Exhibit C](#). The Governor recommends General Fund appropriations of \$934,535 in each year of the 2023-2025 biennium to provide the necessary funding for the administration of the Measures of Academic Progress assessments for all students in kindergarten through Grade 3.

E-227 Efficiency & Innovation — Page K-12 EDUCATION-54

These assessments are used to evaluate proficiency in reading for the Read By Grade 3 Program. The Governor recommends funding these assessments entirely with General Fund appropriations in the 2023-2025 biennium. This represents a funding change after the partial funding of these assessments using federal Elementary and Secondary School Emergency Relief (ESSER) II funds in the 2021-2023 biennium, as approved during the Eighty-first Legislative Session.

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Pursuant to *Nevada Administrative Code* (NAC) 388.660, these assessments are required to be used to assess pupils' proficiency in the subject of reading.

During the Eighty-first Legislative Session, Read By Grade 3 Program funding was placed in the Pupil-Centered Funding Plan Account to support base per pupil funding in the new Pupil-Centered Funding Plan, which may be used by school districts and charter schools for unrestricted purposes. However, the Measures of Academic Progress assessments continue to be required by the Department pursuant to NAC 388.660.

The contracts to administer the Measures of Academic Progress assessment total \$4 million over the 2023-2025 biennium, which includes \$2.1 million provided for in the base budget, along with \$1.9 million recommended in decision unit E-227 in B/A101-2697. The Governor recommends the total amount be funded with General Fund appropriations as indicated in the table on page 8 of [Exhibit C](#). There was a discrepancy between what is in the budget system and the vendor contract documentation provided. The contract for the Measures of Academic Progress assessments is with the Northwest Education Association to support these Read By Grade 3 programs. After the budget hearing, the Department indicated it had submitted a budget amendment to the GFO for the additional \$58,000 needed for the Measures of Academic Progress assessment contract for FY 2024-2025. However, Fiscal staff has not received the aforementioned budget amendment.

Fiscal staff would note the vendor contract provided in the State budget system reflects the projected expenditures of \$1.96 million in FY 2023-2024 and \$2 million in FY 2024-2025. Accordingly, the Subcommittees may wish to approve increased funding to provide the necessary funding to align with the vendor contract as shown at the bottom of page 8 of [Exhibit C](#).

Do the Subcommittees wish to recommend Option A on page 8 of [Exhibit C](#) to approve the Governor's recommendation in decision unit E-227 in B/A 101-2697 for General Fund appropriations of \$934,535 in each year of the 2023-2025 biennium to provide funding for the increased costs for administration of the Measures of Academic Progress assessment or Option B, to approve General Fund appropriations of \$934,535 in FY 2023-2024 and \$992,535 in FY 2024-2025 to provide funding for the increased cost for

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administration of the Measures of Academic Progress assessments based on the vendor contract documentation? Fiscal staff requests authority to enter technical adjustments as necessary.

CHAIR DONDERO LOOP:

I would accept a motion to recommend approval of Option B, General Fund appropriations of \$934,535 in FY 2023-2024 and \$992,535 in FY 2024-2025 to provide funding for the increased cost for administration of the Measures of Academic Progress assessment based on the vendor contract documentation with authority for Fiscal staff to enter technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE DECISION UNIT E-227 IN B/A 101-2697 AS SHOWN ON PAGE 8 OF [EXHIBIT C](#), OPTION B, GENERAL FUND APPROPRIATIONS OF \$934,535 IN FY 2023-2024 AND \$992,535 IN FY 2024-2025 TO PROVIDE FUNDING FOR INCREASED COSTS FOR ADMINISTRATION OF THE MEASURES OF ACADEMIC PROGRESS ASSESSMENTS BASED ON THE VENDOR CONTRACT DOCUMENTATION; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR NEAL SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLY MEMBERS KASAMA AND MILLER WERE EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR CANNIZZARO WAS EXCUSED FOR THE VOTE.)

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Ms. CAMACHO-POLKOW:

The third major issue in B/A 101-2697 can be found on page 9 of [Exhibit C](#), the elimination of end-of-course exams. The Governor recommends elimination of funding for the end-of-course exams in the base budget that are typically administered to students once they complete certain high school level math and ELA courses. The Governor recommends eliminating the funding in the

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2023-2025 biennium. Senate Bill (S.B.) 9 would revise provisions relating to education and eliminate end-of-course exams.

SENATE BILL 9: Revises provisions relating to education. (BDR 34-282)

The Nevada Department of Education indicated the current college and career readiness assessment, the ACT assessment, meets the assessment needs by measuring student progress. Senate Bill No. 76 of the Eighty-first Legislative Session proposed eliminating end-of-course exams from statute. This bill did not pass. Despite the bill's failure, funding for the administration of end-of-course exams was not included in the Legislatively-approved budget for the 2021-2023 biennium. At its August 17, 2022, meeting, the IFC approved \$1.3 million in federal American Rescue Plan Act (ARPA) Coronavirus State Fiscal Recovery Funds for the administration of the end-of-course exam assessments.

The Governor recommends the elimination of the exams' associated funding in the base budget and S.B. 9, which would repeal NRS 390.700 and therefore eliminate end-of-course exams from statute.

During the budget hearing on March 8, 2023, the Subcommittees expressed concerns with the permanent elimination of end-of-course exams. In response, the Department indicated the ACT assessment which serves as Nevada's college and career readiness assessment and the end-of-course exams are duplicative. The NDE indicated if end-of-course exams were to continue, the Department would require additional funding of \$3.5 million in FY 2023-2024 and \$3.6 million in FY 2024-2025 to administer these exams.

Senate Bill 9 was passed by the Senate Committee on Education on April 3, 2023, and referred to the Senate Committee on Finance on April 6, 2023.

Do the Subcommittees wish to recommend Option A as shown on page 10 of [Exhibit C](#), to eliminate funding for end-of-course exams in the base budget as recommended by the Governor, contingent upon passage of S.B. 9 or other enabling legislation, or Option B to recommend adding General Fund appropriations of \$3.5 million in the FY 2023-2024 and \$3.6 million in

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FY 2024-2025 to provide funding to continue administering the end-of-course exams, contingent upon enabling legislation not passing? If Option B is recommended, Fiscal staff requests authority to include appropriate language in the 2023 Appropriations Act.

CHAIR DONDERO LOOP:

I would accept a motion to recommend Option A, the elimination of funding for end-of-course exams in the base budget as recommended by the Governor, contingent upon passage of S.B. 9 or other enabling legislation.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES OPTION A ON PAGE 10 OF [EXHIBIT C](#) TO ELIMINATE FUNDING FOR END-OF-COURSE EXAMS IN THE BASE BUDGET OF B/A 101-2697 AS RECOMMENDED BY THE GOVERNOR, CONTINGENT UPON PASSAGE OF S.B. 9 OR OTHER ENABLING LEGISLATION.

SENATOR NEAL SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

We need to continue the end-of-course exams. I will be opposing the motion. That bill came to the Senate, and we were opposed to it at that time as well.

CHAIR DONDERO LOOP:

Ditto from Senator Titus.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL VOTED NO. ASSEMBLY MEMBERS KASAMA AND MILLER WERE EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATORS SEEVERS GANSERT AND TITUS VOTED NO.)

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Ms. CAMACHO-POLKOW:

There are five Other Closing Items in B/A 101-2697 on pages 10 and 11 of [Exhibit C](#). Other Closing Item 1 is the transfer of a contract, decision unit E-900, in the table on page 10 of [Exhibit C](#).

E-900 Transfers — Page K-12 EDUCATION-54

Other Closing Item 2 is the elimination of a vacant administrative assistant position. Other Closing Item 3 is the assessment contract transfer in decision units E-901 to B/A 101-2697 from B/A 101-2715 as previously discussed. The Governor recommends the transfer of a portion of the Data Recognition Corporation contract for the Nevada Alternative Assessment totaling \$503,836 from the IDEA B/A 101-2715 to B/A 101-2697; changing the funding for that portion of the contract expenditures with General Fund appropriations of \$377,877 and federal State Assessments grant funds of \$125,959 over the 2023-2025 biennium in B/A 101-2697 decision unit E-501.

E-501 Adjustments To Transfers — Page K-12 EDUCATION-54

All federal State Assessments grant funds should fund base and maintenance budget expenditures or specific items such as employee computer replacement. Fiscal staff requests authority to enter a technical adjustment to accurately reflect total General Fund appropriations of \$503,836 over the 2023-2025 biennium in decision unit E-501 for the Nevada Alternative Assessment contract funding and also reflect this contract expenditure in the correct category. Fiscal staff requests authority to enter any technical adjustments to reflect the recommendations for the associated decision unit in the IDEA B/A 101-2715 where this recommendation is discussed in more detail.

Other Closing Item 4 on page 11 of [Exhibit C](#) is a one-time General Fund appropriation for computer replacement. The Governor recommends a one-time General Fund appropriation of \$7,212 and authority to expend \$4,808 in federal State Assessments grant funding to replace computer hardware and associated software. The NDE indicates adjustments are needed for this recommendation. Given the replacement of a portion of the computer hardware and associated software would be funded with federal funding, Fiscal staff requested authority

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to enter a technical adjustment to reflect federal State Assessment grant funding.

Other Closing Item 5 on page 11 of [Exhibit C](#) is the ability to transfer General Fund appropriations between fiscal years. Section 35 of the 2021 Appropriations Act provided the NDE with the ability to transfer General Fund appropriations between fiscal years of the 2021-2023 biennium in B/A 101-2697 upon the recommendation of the Governor and approval of the IFC. The Executive Budget recommends this budget retain the ability to transfer General Fund appropriations between fiscal years in the 2023-2025 biennium with IFC approval. If this recommendation is approved, enabling language will be included in the 2023 Appropriations Act.

Fiscal staff recommends B/A 101-2697 Other Closing Items 1, 2 and 5 be approved as recommended by the Governor, Other Closing Items 3 and 4 be approved with the noted technical adjustments, and requests authority for staff to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND, TO THE FULL COMMITTEES TO APPROVE B/A 101-2697 OTHER CLOSING ITEM 1 DECISION UNIT E-900 AND OTHER CLOSING ITEMS 2 AND 5 AS RECOMMENDED BY THE GOVERNOR; TO APPROVE OTHER CLOSING ITEM 3 DECISION UNITS E-501 AND E-901 AND OTHER CLOSING ITEM 4 WITH THE NOTED TECHNICAL ADJUSTMENTS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY IN B/A 101-2697, AS SHOWN ON PAGES 11 AND 12 OF [EXHIBIT C](#).

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLY MEMBERS JAUREGUI, KASAMA AND MILLER WERE EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

The Student and School Support B/A 101-2712 is on pages 13 through 24 of [Exhibit C](#).

NDE - Student and School Support — Budget Page K-12 EDUCATION-90
(Volume I)
Budget Account 101-2712

This budget was heard by the Subcommittees on March 22, 2023, and provides for the distribution and administration of federal grants, primarily the federal Title I of the Elementary and Secondary Education Act (Title I) assistance to Nevada schools. There are four Major Closing Issues in this budget.

Major Closing Issue 1 on page 13 of [Exhibit C](#) is funding for the School Improvement Program and one new education programs professional position in decision units E-233 and E-237 in B/A 101-2712.

E-233 Efficiency & Innovation — Page K-12 EDUCATION-94
E-237 Efficiency & Innovation — Page K-12 EDUCATION-95

The Governor recommends General Fund appropriations of \$1.2 million over the 2023-2025 biennium to fund a new School Improvement Program for Nevada's lowest performing schools and one new full-time education programs professional position.

The School Improvement Program would be for the low-performing schools designated as comprehensive support and improvement schools; these are non-Title I, one-star schools from this designation to comply with the federal criteria. The Nevada Department of Education indicated it does not have federal funding to support these non-Title I, one-star schools.

The Nevada Department of Education indicates funding for the program would be needed in future biennia; however, a tiered reduction of funding could occur based on the number of schools that move up in the star ratings. This could lead to a gradual reduction in funding needed to support the program in future biennia. The continued funding to support the program would be requested as the NDE exits current federally designated schools every two years.

The NDE provided information shown on page 14 of [Exhibit C](#) showing how the \$1 million would be expended over the 2023-2025 biennium. It would expend \$300,000 over the biennium for vendors to build capacity within the Department and for school districts to evaluate improvement efforts and provides \$700,000 for aid to schools, which will be allocated through a formula in development by the Department.

The education programs professional position would assist with the review and monitoring of school performance plans and would serve as a liaison between school districts and the NDE to achieve school improvement performance goals. This position would also assist schools and school districts with targeted tailored strategies to support schools and school districts with one-star and two-star schools.

The Nevada Department of Education indicated the education programs professional position would have flexibility to deliver virtual and in-person training and professional development based on the need and availability of the local education agency or school. The NDE indicated travel would be required for school walk-throughs, in-person professional learning and attendance at national conferences. The Governor did not recommend travel-related expenditures in either year of the 2023-2025 biennium for this position. The Nevada Department of Education requests a budget adjustment to include travel expenditures of \$6,672 in each year of the 2023-2025 biennium funded with General Fund appropriations for 12 in-State trips and 2 out-of-State trips.

During the budget hearing, the NDE indicated the new School Improvement Program would mentor and support administrators who lead schools to build capacity and enhance the systems within schools due to the increase in new administrators across the various school districts.

After the hearing, the NDE indicated the recommended funding of \$500,000 in each year of the 2023-2025 biennium is now requested to be used only for contract work, with funding of \$350,000 in each year of the biennium no longer planned for the previously identified aid to school activities.

Specifically, the NDE indicated the \$500,000 in each year of the 2023-2025 biennium would support those items noted on page 16 of [Exhibit C](#).

They include quarterly targeted leadership network cohort meetings; virtual one-on-one coaching for schools; program evaluation; providing training and evaluations of local education agencies' equitable allocation of resources across districts for designated schools; and hosting an annual school improvement conference. This conference would cover various topics for school district staff including grants managers, district program coordinators and school leaders for approximately 250 participants.

The Nevada Department of Education indicated it would measure the success and effectiveness of the new School Improvement Program for Nevada's lowest performing schools by continuing to monitor those schools' index scores in the Nevada Report Card program to ensure sustained upward average growth until three-star school designation is achieved.

Given the amount of funding that would be provided to this new program, Fiscal staff requests authority to reflect the expenditures associated with the School Improvement Program in a unique expenditure category in this budget. This would assist the Legislature in tracking program expenditures in future biennia if this program is recommended for approval by the Subcommittees.

Also during the budget hearing, the NDE indicated the education programs professional position would differ from the services provided by the contracted vendor and five other positions currently supporting the program by focusing on schools exiting the program and one-star schools. This education programs professional position would assist with 71 comprehensive support and improvement schools, 185 targeted support and improvement schools and additional targeted support and improvement schools by providing technical assistance with federal requirements and supporting the allocation and monitoring of federal school improvement grant funds.

Travel required for this new position in the amount of \$6,672 in each year of the 2023-2025 biennium was not included in the Executive Budget. Given these expenditures are not reflected in the budget, the Subcommittees could recommend approval of funding for travel expenditures by reallocating \$6,672 in each year of the 2023-2025 biennium from the recommended funding for the new School Improvement Program that would instead be provided to fund travel expenditures for the new position.

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Do the Subcommittees wish to recommend General Fund appropriations of \$1.2 million over the 2023-2025 biennium as recommended by the Governor in decision units E-233 and E-237 in B/A 101-2712 to fund a new School Improvement Program and one new education programs professional position to support the new School Improvement Program?

If the Subcommittees wish to approve funding for this program and position, do they also wish to provide authority for Fiscal staff to make technical adjustments to reallocate funding of \$6,672 in each year of the 2023-2025 biennium from the new School Improvement Program contract expenditures and use that funding to support travel expenditures for the new position as shown in Option A on page 17 of [Exhibit C](#) or to reflect the expenditures associated with the School Improvement Program in a unique expenditure category in B/A 101-2712, which would assist the Legislature in tracking the expenditures associated with this program in future biennium as shown in Option B on page 17 of [Exhibit C](#)? Fiscal staff requests authority to enter other technical adjustments as necessary.

CHAIR DONDERO LOOP:

Especially in our more at-risk areas, many things go into a star rating. I know some wonderful schools with great leaders and great teachers that are a three-star school. Could someone from the NDE give us a little bit of insight about why a school that seemingly looks to be so successful would end up being a three-star school?

Also, I know how hard these teachers work and teachers thrive on learning. When we suggest that they get cohort meetings or coaching strategies to support student needs, teachers cannot wait to hear that.

MS. EBERT:

The star rating system has been in place for a while and as you noted, we have exceptional educators working in all of our schools, independent of the star rating. The system itself generally works on student growth and proficiency.

We as Nevadans value growth, knowing where our students are and where they need to be. The system asks, does a student achieve a year's worth of growth in a year's time? We want to see more than a year's growth because we have

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students who need that. We want them to be proficient on grade level, or if they are not on track, to be there within three years.

The system looks at a moment in time to see where people are. We look at many components including attendance data. If students are chronically absent, we know it will have an affect and plays into the rating.

We continue to work with the federal government because that system was put into place almost a decade ago and needs to be updated, leveraging a new methodology for understanding student progress.

CHAIR DONDERO LOOP:

We just celebrated some teachers over the weekend with the Heart of Education awards and we continue to do that, but we know we have fine teachers working hard every day to make sure our students have what they need. They are clamoring for more information on how to make themselves better.

SENATOR NEAL:

I understand what you are trying to do, but I cannot get off this issue. I confirmed that CCSD Superintendent Jara has testified there are no standards for performance of pupils. If that is the case, how will this program work?

My biggest concern is I understand what NDE is trying to do, but it is counterintuitive to have the money spent on an outcome where there are no standards. How do you raise a star when the largest school district does not have a standard for its pupils?

We will give the money, and then there is no correlation to the outcome. You cannot get growth in an environment like that. I know we are in a budget closing, but it bothers me because the biggest argument we have had for a long time is that the money goes, we spin our wheels and then we wonder why there is a disconnect. This is a disconnect.

MS. EBERT:

There are standards. I just want to be crystal clear, there are standards for our State and the expectations within the star system are there. Regarding the

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specific piece you are voting on today, the State previously provided approximately \$2 million for the support under the turnaround programs. I cannot speak specifically to the testimony of the CCSD. There are expectations; we do have State standards, and we do have the system in place.

You have heard very clearly, and you all have made it very clear, the amplification in making sure that our students are making progress. Where they are not, daylight must be shown on that data, and we must be in those schools making sure that they receive the resources the students deserve. That comes from all of us.

SENATOR NEAL:

I do not have anything else to add. I have said what I think. I will just keep watching this.

CHAIR DONDERO LOOP:

Standards and benchmarks are listed on the Nevada Department of Education website.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2712 DECISION UNITS E-233 AND E-237 THE GOVERNOR'S RECOMMENDATION FOR GENERAL FUND APPROPRIATIONS OF \$1.2 MILLION OVER THE 2023-2025 TO FUND A NEW SCHOOL IMPROVEMENT PROGRAM AND ONE NEW EDUCATION PROGRAMS PROFESSIONAL POSITION TO SUPPORT THE NEW SCHOOL IMPROVEMENT PROGRAM; DIRECT FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS TO REALLOCATE FUNDING OF \$6,672 IN EACH YEAR OF THE 2023-2025 BIENNIUM FROM THE NEW SCHOOL IMPROVEMENT PROGRAM CONTRACT EXPENDITURES TO SUPPORT TRAVEL EXPENDITURES FOR THE NEW POSITION; AND REFLECT THE EXPENDITURES ASSOCIATED WITH THE SCHOOL IMPROVEMENT PROGRAM IN A UNIQUE EXPENDITURE CATEGORY IN B/A 101-2712 TO ASSIST THE LEGISLATURE IN TRACKING ASSOCIATED PROGRAM EXPENDITURES IN FUTURE BIENNIA; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

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SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN MILLER WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. CAMACHO-POLKOW:

Major Closing Issue 2 can be found on page 17 of [Exhibit C](#), the continued funding for external evaluations. The Governor recommends a General Fund appropriation of \$265,000 in FY 2024-2025 in the base budget to fund external evaluations of various K-12 education programs.

This would continue the funding for external evaluations as approved during the Eighty-first Legislative Session for FY 2022-2023. However, the NDE has not completed external evaluations for the current biennium which were due by January 1, 2023.

The Eightieth Legislative Session approved a General Fund appropriation of \$265,000 in FY 2020-2021 for the cost of external evaluations of certain K-12 categorical programs. Assembly Bill No. 3 of the 31st Special Session reduced the funding to an expenditure authority of \$100,000 in FY 2020-2021. Due to the COVID-19 pandemic, the Department anticipated the final report would be submitted by December 2021; however, the external evaluations were never completed.

During the Eighty-first Legislative Session, General Fund appropriations were approved of \$265,000 for FY 2022-2023 for external evaluations to allow the Department to assess and monitor State programs and services to determine the impact of transferring certain State K-12 categorical programs into the Pupil-Centered Funding Plan. A 2021 Letter of Intent (LOI) was issued to the Superintendent of Public Instruction requiring all external evaluation reports to be submitted no later than January 1, 2023.

The Nevada Department of Education did not submit the report to the Fiscal Analysis Division by January 1, 2023, but instead submitted a memorandum indicating it had recently signed an agreement with a third-party vendor to conduct these evaluations and would have preliminary findings available in March 2023. However, the Department has not submitted the reports to the Fiscal Analysis Division as of this writing.

During the budget hearing, the NDE indicated the external evaluations would provide additional and national perspective to show validation and direction of current NDE programs. After the budget hearing, the Department indicated the third-party contract vendor requested an extension to submit preliminary findings at the end of April 2023. Additionally, the Department indicated the evaluation will include a review of the use of weights by local education agencies for English Learner pupils, free or reduced-price lunch pupils, and students with disabilities.

After the hearing, the NDE indicated the FY 2024-2025 external evaluations would only include an evaluation of mathematics proficiency in grades 4 through 8, and it would not support an evaluation of the Read by Grade 3 program. The NDE indicates an analysis of that program would require an additional \$250,000 due to the increased level of analysis and possible complexities of the various State and federal funding sources that have been used by the program in the recent fiscal years. However, the NDE did not provide documentation, contracts, or quotes for these estimated amounts.

The various K-12 categorical programs that have been transferred to the Pupil-Centered Funding Plan do not statutorily require evaluations. Accordingly, the Subcommittees may wish to recommend not approving funding for the external evaluation in FY 2024-2025.

Alternatively, the Subcommittees could recommend approving funding for these external evaluations but also recommend an LOI be issued to the NDE with a deadline of October 1, 2024, for submitting the reports to the Fiscal Analysis Division for presentation at a subsequent IFC meeting. Further, the LOI could identify the programs that should be evaluated, such as: Teach Nevada Scholarship, Read by Grade 3, Adult Education and Career and Technical Education programs.

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Based on the NDE's projected costs of \$95,000 for a program evaluation of the School Improvement Program in Major Closing Issue 1, as shown on page 16 of [Exhibit C](#), the Subcommittees could identify two or three programs that they wish the NDE to have evaluated using the funding that would be provided in FY 2024-2025.

Do the Subcommittees wish to recommend approving Major Closing Issue 2, the Governor's recommendation of General Fund appropriations of \$265,000 in FY 2024-2025 to fund external evaluations as shown on page 19 of [Exhibit C](#)?

If the Subcommittees wish to approve the Governor's recommendation for external evaluations, do they also wish to recommend an LOI be issued by the Full Committees to the NDE indicating the specific K-12 programs that should be evaluated and require that copies of the external evaluation reports be submitted on or before October 1, 2024, to the Fiscal Analysis Division for presentation at a subsequent IFC meeting?

ASSEMBLYWOMAN JAUREGUI:

I want to voice my concerns about approving this budget. I know that in the Eightieth and Eighty-first Legislative Sessions, we approved budgets for these reviews to be done, and we have never actually received the evaluations back. Then, 2021 came and the evaluations were never completed in 2021 when we approved the \$265,000. Now, 2023 came, and we have yet to receive the evaluations. I do not see a need to continue this ongoing pattern of approving this budget when the evaluations are not completed.

CHAIR DONDERO LOOP:

I would accept a motion to not approve the Governor's recommendation of General Fund Appropriations of \$265,000 in FY 2024-2025 to fund external evaluations.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO NOT APPROVE THE GOVERNOR'S RECOMMENDATION OF GENERAL FUND APPROPRIATIONS OF \$265,000 IN FY 2024-2025 TO FUND EXTERNAL EVALUATIONS IN B/A 101-2712.

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SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

The evaluations of these programs are critically important. When we went to the Pupil-Centered Funding Plan, we still left in statute the requirements around these programs because we found them to be successful. In 2015, these programs were put in place. By 2019, students in Nevada were reading at grade level according to the National Assessment of Educational Progress or the Nation's Report Card, which we never experienced before.

We never had our children in fourth grade reading at the National average in the State of Nevada. We need to continue to measure these programs because they are in statute, but the dollars are not directly associated with them.

We need to make sure that these activities are still happening and that they are effective. Then if we need to change something, we can change something. We just implemented the Pupil-Centered Funding Plan, and we have had success with these programs. This is not the right time to stop evaluating them and making sure that we are following these programs that we again had success with earlier in 2019.

ASSEMBLYWOMAN BACKUS:

Since we did move to the new Pupil-Centered Funding Plan, we have moved away from the categorical spending and moved away from these programs. Along with the fact that there was a budgeted item for this in the last biennium and it was not done, I feel comfortable not approving the Governor's recommendation at this time.

SENATOR TITUS:

Was there any explanation on why the evaluations were not done?

Ms. CAMACHO-POLKOW:

We asked the NDE why they had not been delivered for this biennium, and it indicated there was a delay due to the pandemic. Nevada Department of Education staff indicated the findings would be delivered in March 2023, but then the vendor indicated it needed an extension due to being unable to reach certain school districts.

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SENATOR TITUS:

The evaluations need to be done, and there is reasonable cause for why they were delayed, so I will vote no if the motion goes forward to not approve the funding.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLY MEMBERS KASAMA AND O'NEILL VOTED NO.)

SENATE: THE MOTION CARRIED. (SENATORS SEEVERS GANSERT AND TITUS VOTED NO.)

* * * * *

Ms. CAMACHO-POLKOW:

Major Closing Issue 3 on page 19 of [Exhibit C](#) is the funding for Smartsheet software consultants in decision unit E-231 in B/A 101-2712. The Governor recommends General Fund appropriations of \$100,000 over the 2023-2025 biennium to expand the functionality of the NDE's existing Smartsheet software.

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Smartsheet software is used to develop a Departmentwide system to track data, manage projects, develop a compliance materials database and data dashboards, and compile grant submissions.

Fiscal staff requested documentation to support the \$100,000 recommendation for the Smartsheet consultant contract, but the Department did not provide the supporting documentation and instead provided the calculations shown in the table at the top of page 20 of [Exhibit C](#).

Although Smartsheet originated in this budget as a pilot program, it appears it has proven to be successful and could be reflected in another budget, such as the Department Support Services B/A 101-2720, which provides IT support and is funded with cost allocation revenue.

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During the budget hearing, the NDE indicated Smartsheet software consultant expenditures are recommended to be funded in B/A 101-2712 with General Fund appropriations rather than the Department Support Services B/A 101-2720 that provides IT support funded through cost allocations. The indirect cost allocation that supports IT services has been limited in recent fiscal years. The Nevada Department of Education indicated this funding has been used for services directly needed by grant programs. The Nevada Department of Education further indicated it has focused on expending various federal COVID-19 grants that are expiring and did not contribute to this cost allocation reimbursement. Accordingly, the Department indicated it must be strategic in the use of the indirect cost allocation funds and the services it supports.

The Nevada Department of Education may be able to fund this enhancement with indirect cost allocation revenue rather than General Fund appropriations depending on the indirect cost allocation revenue that would be generated. Fiscal staff notes the Executive Budget reflects a projected reserve of \$4.2 million in the Department Support Services B/A 101-2720 at the end of the 2023-2025 biennium. Given the uncertainty in the indirect cost allocation revenue that would actually be generated, the Subcommittees may wish to recommend approval of this decision unit but could also recommend that an LOI be issued for the Department to study the reserves in B/A 101-2720 by the end of each fiscal year in the 2023-2025 biennium.

Once the NDE reviews the revenue that would be generated through its indirect cost allocation and determines whether it would generate the necessary funding to support all or some of the expenditures in B/A 101-2712, the NDE could then request IFC approval of work programs to reflect these expenditures in B/A 101-2720 and revert all or some of the approved funding to the General Fund.

Alternatively, if the NDE determines the indirect cost allocation revenue would not be generated to support this expenditure, it could report those findings to

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the IFC, and these expenditures would be funded with General Fund appropriations.

The Nevada Department of Education indicates the Smartsheet software consultant expenditures are not anticipated to continue beyond the 2023-2025 biennium. If the Subcommittees recommend approval of this expenditure, they may also wish to provide Fiscal staff with authority to reflect this expenditure in a unique expenditure category so these costs can be easily tracked and eliminated from the adjusted base budget for the 2025-2027 biennium.

The Subcommittees could consider several options. Option 1 would approve the Governor's recommendation in B/A 101-1712 decision unit E-231 for General Fund appropriations of \$100,000 over the 2023-2025 biennium to expand the functionality of the NDE's existing Smartsheet software with authority for Fiscal staff to enter technical adjustments to reflect this expenditure in a unique expenditure category.

Option 2 would recommend the Full Committees issue an LOI to the NDE to study the reserves in the Department Support Services B/A 101-2720 by the end of each fiscal year in the 2023-2025 biennium and report its findings to the IFC. If the NDE determines indirect cost allocations would provide the necessary funding to support all or some of the expenditures in B/A 101-2720, the NDE could then request IFC approval of work programs to reflect the expenditures in that budget and revert all or some of the approved funding to the General Fund. Alternatively, if the NDE determines indirect cost allocation revenue would not be generated to support this expenditure, it could report those findings to the IFC, and these expenditures would be funded with General Fund appropriations.

Option 3 would not approve the Governor's recommendation in decision unit E-231 in B/A 101-2712 for General Fund appropriations of \$100,000 over the 2023-2025 biennium to expand the functionality of the NDE existing Smartsheet software.

ASSEMBLYWOMAN JAUREGUI:

Why are General Fund appropriations being requested instead of coming out of your reserves or the Department Support Services reserves?

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MEGAN PETERSON (Deputy Superintendent, Student Investment Division,
Nevada Department of Education):

We are going through some interesting times projecting our reserves and understanding how much funding will actually be available. Given this is a software used by many staff across the NDE, we were requesting General Fund monies, for a fair allocation across those projects.

ASSEMBLYWOMAN JAUREGUI:

You said you were studying and projecting what your reserves will be; what do you have in your reserves in B/A 101-2720?

Ms. PETERSON:

We now have approximately \$500,000 of an initial projection of \$2.1 million.

ASSEMBLYWOMAN JAUREGUI:

Could you go over those numbers?

Ms. PETERSON:

The initial projection for the fiscal year was approximately \$2.1 million. To date, we have only collected approximately \$500,000, so we are not on track to collect the original projection.

ASSEMBLYWOMAN JAUREGUI:

That is \$2.1 million for the first fiscal year and from the information we have, it looks like for the second fiscal year it will be over \$4 million if you run on projections.

Ms. PETERSON:

That is correct.

ASSEMBLYWOMAN JAUREGUI:

You are projecting over \$4 million for B/A 101-2720. You must feel comfortable that you are going to hit the \$4 million because you are asking for three positions to be funded at over \$500,000 out of these reserves.

If you can fund three positions at over \$500,000 out of these reserves, you are comfortable enough that your projections will be there to meet the salaries of

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these three positions, but not to cover \$100,000 for software. It would be my preference to ask the NDE to use its reserves to cover the software if you are comfortable enough covering the salaries for three positions.

MS. PETERSON:

Those reserves are the only funding sources we have available to carry forward from one year to the next. Although there may be funding there, that may be the only source of funding we have in the future fiscal year to offset any decreases in projected revenues.

Indirect costs are only drawn on actual expenditures incurred. If we experience vacancies or other shortfalls in other areas, we are not able to draw that in; it is not a consistent and reliable funding source. That is why we were requesting it be funded by the General Fund.

ASSEMBLYWOMAN JAUREGUI:

I will have more questions regarding that statement when we get to B/A 101-2720 because if you are saying it is not a reliable funding source, but you are requesting to fund permanent positions and their salaries with this funding source, that raises some concerns as well.

ASSEMBLYWOMAN BACKUS:

Given the expenses related to expanding the functionality of the Smartsheet software and aligning with the function of the Department Support Services B/A 101-2720, if funding and reserves are available in that budget, I would support a motion for Option 3 to not recommend approval of the Governor's recommendation in B/A 101-2712 decision unit E-231 for General Fund appropriations of \$100,000 over the 2023-2025 biennium to expand the functionality of the Department's existing Smartsheet software and instead recommend the authorization of funding from the reserves of \$100,000 over the 2023-2025 biennium in the Department Support Services B/A 101-2720 to expand the functionality of the Smartsheet software.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES OPTION 3 ON PAGE 21 OF [EXHIBIT C](#) TO NOT RECOMMEND APPROVAL OF THE GOVERNOR'S RECOMMENDATION FOR GENERAL FUND APPROPRIATIONS OF \$100,000 OVER THE

2023-2025 BIENNIUM IN B/A 101-2712 DECISION UNIT E-231 TO EXPAND THE FUNCTIONALITY OF THE DEPARTMENT'S EXISTING SMARTSHEET SOFTWARE; AND INSTEAD RECOMMEND THE AUTHORIZATION OF FUNDING FROM THE RESERVES OF \$100,000 OVER THE 2023-2025 BIENNIUM IN THE DEPARTMENT SUPPORT SERVICES B/A 101-2720 TO EXPAND THE FUNCTIONALITY OF THE SMARTSHEET SOFTWARE; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY INCLUDING REFLECTING THE SMARTSHEET EXPENDITURE IN A UNIQUE EXPENDITURE CATEGORY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. CAMACHO-POLKOW:

Major Closing Issue 4 in B/A 101-2712 decision unit E-232 is funding for the Zoom executive licenses, as shown on pages 21 and 22 of [Exhibit C](#). The Governor recommends General Fund appropriations of \$87,452 over the 2023-2025 biennium to fund Zoom executive licenses.

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These licenses would allow the Department to administer virtual meetings for up to 300 participants and webinars for up to 500 participants, including the ability for breakout meeting rooms. Zoom is used by the Department to provide Statewide technical assistance, training and development to school districts and individual schools.

The Department indicates General Fund appropriations are recommended to fund this cost since federal grant funding is being used to support these licenses for individual programs, but it is not sufficient to sustain this expenditure.

During the budget hearing on March 22, 2023, the NDE was asked why the Zoom license software expenditures are recommended to be funded in B/A 101-2712 with General Fund appropriations, rather than the Department Support Services B/A 101-2720 that provides IT support through a cost allocation. The same information was provided as was previously discussed regarding the Smartsheet software.

After the hearing, the Department provided updated documentation for Zoom executive licenses indicating a decrease in the number of Zoom licenses requested for the Department. Fiscal staff requests authority to enter technical adjustments to reflect updated expenditures of \$30,676 in each year of the 2023-2025 biennium. This technical adjustment reduces contract expenditures by \$13,050 in each year of the 2023-2025 biennium with a corresponding reduction in General Fund appropriations.

Do the Subcommittees wish to recommend approval of the Governor's recommendation in B/A 101-2712 decision unit E-232 for General Fund appropriations of \$87,452 over the 2023-2025 biennium to fund Zoom executive licenses with authority for Fiscal staff to enter technical adjustments to reflect revised expenditure amounts of \$30,676 in each year of the 2023-2025 biennium; and approve the issuance of an LOI by the Full Committees to the Department to study the reserves in the Department Support Services B/A 101-2720 by the end of each fiscal year in the 2023-2025 biennium and report its findings to the IFC? If the Department determines indirect cost allocations would provide the necessary funding to support all or some of these Zoom executive license expenditures in the Department Support Services B/A 101-2720, the Department could then request IFC approval of work programs to reflect the Zoom executive license expenditures in B/A 101-2720 and revert all or some of the approved funding for B/A 101-2712 to the General Fund. Alternatively, if the Department determines indirect cost allocation revenue would not be generated to support this expenditure, it could report those findings to the IFC, and the expenditures would be funded with General Fund appropriations.

ASSEMBLYWOMAN BACKUS:

Similar to the previous decision unit, given that expenses related to Zoom executive licenses align with the function of the Department Support

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Services B/A 101-2720 and that funding and reserves are available in that budget, I would support a motion to not recommend approval of the Governor's recommendation for General Fund appropriations of \$87,452 over the 2023-2025 biennium in B/A 101-2712 decision unit E-232 to fund Zoom executive licenses and instead recommend the authorization of funding from reserves in B/A 101-2720 of \$30,676 in each year of the 2023-2025 biennium to reflect these expenditures with the technical adjustments in the Department Support Services B/A 101-2720 to purchase Zoom executive licenses.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO NOT APPROVE GENERAL FUND APPROPRIATIONS OF \$87,452 OVER THE 2023-2025 BIENNIUM IN B/A 101-2712 DECISION UNIT E-232 TO FUND ZOOM EXECUTIVE LICENSES AS RECOMMENDED BY THE GOVERNOR; AND INSTEAD RECOMMEND AUTHORIZATION OF FUNDING FROM RESERVES IN B/A 101-2720 OF \$30,676 IN EACH YEAR OF THE 2023-2025 BIENNIUM TO REFLECT THESE EXPENDITURES WITH TECHNICAL ADJUSTMENTS IN THE DEPARTMENT SUPPORT SERVICES B/A 101-2720 TO PURCHASE ZOOM EXECUTIVE LICENSES; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. CAMACHO-POLKOW:

There are two Other Closing Items in B/A 101-2712. In Other Closing Item 1, on page 23 of [Exhibit C](#), the GFO submitted Budget Amendment No. A231252712 ([Exhibit D](#)) on March 4, 2023, that recommends General Fund reductions of \$121,145 in FY 2023-2024 and \$122,336 in

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FY 2024-2025 and reductions in federal Indian Education grant revenue of \$165,737 in FY 2023-2024 and \$139,351 in FY 2024-2025.

Budget Amendment No. A231252712 [Exhibit D](#) would transfer the funding for an education programs professional position and the federal Indian Education grant from B/A 101-2712 to the IDEA B/A 101-2715.

Budget Amendment No. A231252712, [Exhibit D](#) recommends General Fund reductions of \$121,145 in FY 2023-2024 and \$122,336 in FY 2024-2025 and reductions in federal Indian Education grant revenue of \$165,737 in FY 2023-2024 and \$139,351 in FY 2024-2025 to transfer funding for an education programs professional position and the federal Indian Education grant to the IDEA B/A 101-2715. This budget amendment and its companion Budget Amendment No. A231262715 ([Exhibit E](#)) are discussed in more detail in the IDEA B/A 101-2715. Fiscal staff recommends this item be closed consistent with the Subcommittees' action in the IDEA budget and requests authority to enter any necessary technical adjustments.

Other Closing Item 2 is a Governor-recommended one-time General Fund appropriation of \$4,808 and authority to expend \$12,020 in federal funding to replace computer hardware and associated software as shown on page 23 of [Exhibit C](#).

The Nevada Department of Education indicates adjustments are needed for this recommendation. Given the replacement of computer hardware and associated software would be funded in whole or in part with federal funding, Fiscal staff requests authority to enter a technical adjustment to reflect a General Fund appropriation of \$721 in FY 2023-2024 and federal grant funding of \$8,895 in FY 2023-2024 and \$4,808 in FY 2024-2025 for the purchase of computer hardware and associated software in B/A 101-2712. The remaining \$2,404 in General Fund appropriations will be considered as a separate bill.

Fiscal staff recommends Other Closing Item 1 be approved consistent with the Subcommittees' actions in the IDEA B/A 101-2715, with authority for Fiscal staff to make necessary technical adjustments, and Other Closing Item 2 be approved with the noted technical adjustments and requests authority for staff to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE OTHER CLOSING ITEM 1 BUDGET AMENDMENT NO. A231252712 [EXHIBIT D](#), AND RECOMMENDS GENERAL FUND REDUCTIONS OF \$121,145 IN FY 2023-2024 AND \$122,336 IN FY 2024-2025 AND REDUCTIONS IN FEDERAL INDIAN EDUCATION GRANT REVENUE OF \$165,737 IN FY 2023-2024 AND \$139,351 IN FY 2024-2025 TO TRANSFER FUNDING FOR AN EDUCATION PROGRAMS PROFESSIONAL POSITION AND THE FEDERAL INDIAN EDUCATION GRANT TO THE IDEA B/A 101-2715, CONSISTENT WITH THE SUBCOMMITTEES' ACTIONS IN THE IDEA B/A 101-2715; WITH AUTHORITY FOR STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS; APPROVE OTHER CLOSING ITEM 2, A GOVERNOR RECOMMENDED ONE-TIME GENERAL FUND APPROPRIATION OF \$4,808 AND AUTHORITY TO EXPEND \$12,020 IN FEDERAL FUNDING TO REPLACE COMPUTER HARDWARE AND ASSOCIATED SOFTWARE AS SHOWN ON PAGE 23 OF [EXHIBIT C](#), WITH THE NOTED TECHNICAL ADJUSTMENTS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY IN B/A 101-2712.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. CAMACHO-POLKOW:

The next budget is the District Support Services B/A 101-2719 detailed on pages 25 through 30 of [Exhibit C](#). This budget was heard by the Subcommittees on March 22, 2023, and supports positions and operating expenditures for the NDE staff assigned to administer and distribute State and federal funds.

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Budget Account 101-2719

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There are two Major Closing Issues in B/A 101-2719. Major Closing Issue 1 is three new management analyst positions for the Grant Management Unit, decision units E-227, E-228 and E-229.

E-227 Efficiency & Innovation — Page K-12 EDUCATION-31
E-228 Efficiency & Innovation — Page K-12 EDUCATION-32
E-229 Efficiency & Innovation — Page K-12 EDUCATION-32

The Governor recommends General Fund appropriations of \$519,147 over the 2023-2025 biennium for three new full-time management analyst positions and associated operating expenditures to assist with the Grants Management Unit as described at the bottom of page 25 of [Exhibit C](#). The Grants Management Unit has eight positions that manage and monitor subawards and reimbursement requests.

There are approximately 1,048 subawards. The additional positions would decrease approval time from approximately 15 to 20 business days to an average of 10 business days per subaward. One management analyst position performs the supervisory level review and approval of subawards, associated budgets, budget revisions and reimbursement requests. The other seven management analyst positions are responsible for the review of grant and subgrant awards.

The Governor recommends funding all three new management analyst positions with General Fund appropriations. The Nevada Department of Education indicates not all grants provide funding for fiscal support. Using General Fund appropriations for these positions allows more funding to be provided to the subrecipients.

Some of the duties and responsibilities for each of these positions are noted on page 26 of [Exhibit C](#). The Nevada Department of Education indicates these positions are in response to subrecipient feedback on the current timeline of 15 to 20 days required by the Department to process subaward budgets and budget revisions.

During the budget hearing on March 22, 2023, the Subcommittees expressed concerns regarding the three new management analyst positions that are

recommended to be supported with General Fund appropriations since grant funds may be available for them. In response, the NDE indicated the three new management analyst positions were recommended to be funded with General Fund appropriations to ensure consistent funding in the future.

The Nevada Department of Education also indicated the new management analyst positions would assist with the review, approval and reimbursement process for grants to decrease the time needed to distribute grant funds to school districts and subaward recipients. These additional positions would allow for two supervisors to review the work of grants analysts and improve processing times and customer satisfaction. School districts would receive grant funds sooner which would increase the amount of time recipients have to expend the awarded grant funds.

The Nevada Department of Education stated in the past five years the Grants Management Unit positions have each turned over at least three times, mostly due to the workload. The addition of these positions will assist with staff workload, burnout, and retention which could help avoid ongoing training by having consistent staffing.

The Executive Budget does not reflect all the necessary computer hardware and associated software for one of the management analyst positions. The Subcommittees may wish to consider providing Fiscal staff with authority to enter a technical adjustment to reflect the funding necessary to purchase equipment for one of the new positions if funding for the position is recommended.

The decisions for the Subcommittees are on page 28 of [Exhibit C](#). Do the Subcommittees wish to recommend Option A to approve the Governor's recommendation for decision unit E-227 in B/A 101-2719 General Fund appropriations of \$187,077 over the 2023-2025 biennium for one new management analyst position and associated expenditures to assist with supervision of the grants management unit; and/or approve Option B decision unit E-228 in B/A 101-2719, the Governor's recommendation for General Fund appropriations of \$173,419 over the 2023-2025 biennium for one new management analyst position and associated expenditures to support the electronic grants management system; and/or approve Option C

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decision unit E-229 in B/A 101-2719, the Governor's recommendation for General Fund appropriations of \$158,651 over the 2023-2025 biennium for one new management analyst position and associated expenditures to assist with subgrants and if so, do the Subcommittees also recommend approval of the technical adjustments noted for the computer equipment for the new position? Fiscal staff requests authority to make other technical adjustments as necessary.

ASSEMBLYWOMAN JAUREGUI:

The Grant Management Unit looks like it has eight positions. Are they all filled, or are there any vacancies?

Ms. PETERSON:

For clarification, within the count of eight, the management analyst IV is not involved in the grant review and approval process. That position is specifically responsible for compiling the NRS 387.303 reports for school districts and NRS 388A.345 reports for charter schools. It also assists with compiling our federally required reports, including maintenance of effort. Consequently, we only have six analyst positions and one supervisor.

For the management analyst IV position, while filled, the person has been out on FMLA leave for approximately eight months. We have requested and been able to complete a dual fill situation, and that person started last week. The management analyst III supervisor position will be vacant in approximately three weeks, as the employee is moving to another position. The remaining positions are filled.

ASSEMBLYWOMAN JAUREGUI:

Do you have a prospect for the management analyst III supervisory position already lined up? That is one of the positions you are requesting.

Ms. PETERSON:

We do not. Hiring has been challenging.

ASSEMBLYWOMAN JAUREGUI:

Are any of your current management analyst positions grant-funded?

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MS. PETERSON:
Yes, several of them are.

ASSEMBLYWOMAN JAUREGUI:
Are there grants available to fund these three new positions?

MS. PETERSON:
Currently, there are not.

CHAIR DONDERO LOOP:
Sometimes in education, one of the reasons it is hard midyear is because an educator or someone involved in education may wait until the summer to change positions, so they do not leave a school or kids in the lurch. It seems different to me than other companies or other professions because educators buy into that piece with kids.

MS. EBERT:
The education environment sees peaks and valleys in transfers. In the environment out of the pandemic, it is hard to look at those peaks and valleys; it is a much different world that we are living in now.

ASSEMBLYWOMAN MONROE-MORENO:
You made a comment that the current positions are grant funded. How long are those grants?

MS. PETERSON:
It varies by position. We work with our program staff, so when a grant is set to expire we look for new grants to backfill the position as needed. That way, we can continue the work and not lose that historical knowledge.

ASSEMBLYWOMAN MONROE-MORENO:
If you seek grants when grants expire for those positions, will you also seek grants for the proposed positions, or will they be two different funding sources; the current employees will be grant funded and continue to be grant funded, and the new ones will be funded by General Fund appropriations?

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MS. PETERSON:

Specifically for the management analyst III position requested, we would not look for grant funds. Part of the reason for the request, and especially for the remaining two positions, is the consistency in the funding source. We cannot always guarantee there is another grant. We have in some situations provided pro bono work essentially while we are trying to find those backfills. We want to avoid that increased workload on our analysts and ensure we have long-term support if a grant expires and we are not able to continue that position.

ASSEMBLYWOMAN MONROE-MORENO:

Is it correct to assume that if we are not able to find grants for the existing positions once these expire, in future bienniums you may be making a request to have those funded through General Fund monies?

MS. PETERSON:

Not necessarily. It depends on the grant, the work and how those align with the Department's missions.

ASSEMBLYWOMAN BACKUS:

This Session, we have heard the timeline it takes to process grants, so we appreciate that you are making this request. Evaluating the three different positions, is there a specific area where the grants are getting bottlenecked? Is it at the first level in which there is a need for review, or is it the top where the higher management analyst positions are reviewing the work of the entry level staff processing the grants?

MS. PETERSON:

It is all of the above, which is why we structured the request the way we did. The management analyst I is that first entry into grant management, so that position will help with the additional workload of receiving the grants or the applications from our subrecipients, reducing the 1,000-grant workload across the analysts.

Our management analyst II position request is to assist more across the board for everyone in terms of getting the grants into our electronic management system and making sure the technical support is there for our subrecipients and

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program staff. That way the grants are built-in consistently and ready to go as soon as the funds are available.

The management analyst III assists in the supervisor second level review of the applications before they go to final approval at the Department level.

We are trying to address issues across all of the areas where we have seen those bottlenecks.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE GOVERNOR'S RECOMMENDATIONS OF OPTIONS A, B AND C, GENERAL FUND APPROPRIATIONS TOTALING \$519,147 OVER THE 2023-2025 BIENNIUM FOR THREE NEW FULL-TIME MANAGEMENT ANALYST POSITIONS AND ASSOCIATED OPERATING EXPENDITURES TO ASSIST WITH THE GRANTS MANAGEMENT UNIT IN B/A 101-2719 DECISION UNITS E-227, E-228 AND E-229; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

Major Closing Issue 2 on page 28 of [Exhibit C](#), is for one new management analyst position to assist with risk assessments and monitoring in decision unit E-226 of B/A 101-2719. The Governor recommends General Fund appropriations of \$163,123 over the 2023-2025 biennium for one new full-time management analyst position and associated operating expenditures to assist with risk assessments and monitoring in the Office of Division Compliance.

E-226 Efficiency & Innovation — Page K-12 EDUCATION-31

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The Department indicates the new management analyst would assist an existing auditor position to perform grant risk assessments and support increased monitoring activities of approximately 104 subrecipients. Risk assessments must be completed on an annual basis for all applicants and subrecipients pursuant to federal audit findings and recommendations from the U.S. Department of Education.

Some of the duties and responsibilities of the new management analyst positions are shown on pages 28 and 29 of [Exhibit C](#). The Executive Budget recommends General Fund appropriations for the management analyst position because federal funding is not available to support the State requirement for subrecipient monitoring.

During the budget hearing, the NDE indicated the new position would work in collaboration with the existing auditor position by providing technical assistance and working with subrecipients to ensure documents are received prior to the auditor beginning the risk assessment work. Additionally, the new management analyst position would help decrease the time needed to complete risk assessments and assist with grant monitoring activities and the post-award monitoring process. The Nevada Department of Education indicated it conducts annual risk assessments and monitoring as required by the Governor's Office of Federal Assistance, Nevada Grant Manual.

After the budget hearing, the NDE indicated a recent 2022 federal audit included findings and corrective action related to financial grant management. The new management analyst position would assist in addressing the five critical action required findings and other audit recommendations the Department received.

The Executive Budget reflects additional computer hardware and associated software that is not required for this new management analyst position. Therefore, Fiscal staff requests authority to enter a technical adjustment to reflect accurate funding and reduce equipment for the new position.

Do the Subcommittees wish to recommend approval of decision unit E-226 in B/A 101-2719 for General Fund appropriations of \$163,123 over the 2023-2025 biennium as shown as page 29 of [Exhibit C](#) for one new

management analyst position and associated expenditures to assist with risk assessments and monitoring as recommended by the Governor? If so, do the Subcommittees also recommend approval of the technical adjustments noted for the computer equipment for the new position? Fiscal staff requests authority to enter other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2719 DECISION UNIT E-226 GENERAL FUND APPROPRIATIONS OF \$163,123 OVER THE 2023-2025 BIENNIUM FOR ONE NEW MANAGEMENT ANALYST POSITION AND ASSOCIATED EXPENDITURES TO ASSIST WITH RISK ASSESSMENTS AND MONITORING AS RECOMMENDED BY THE GOVERNOR; APPROVE THE TECHNICAL ADJUSTMENTS NOTED FOR THE COMPUTER EQUIPMENT FOR THE NEW POSITION; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

There are three Other Closing Items for B/A 101-2719 on page 30 of [Exhibit C](#). Other Closing Item 1 is a position reclassification in decision unit E-805.

E-805 Classified Position Changes — Page K-12 EDUCATION-33

Other Closing Item 2 is for professional development and training in decision unit E-231. The Department provided updated documentation. Fiscal staff requests authority to enter technical adjustments to reflect the updated expenditures.

E-231 Efficiency & Innovation — Page K-12 EDUCATION-33

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Other Closing Item 3 for B/A 101-2719 is a one-time General Fund appropriation. The Governor recommends a one-time General Fund appropriation of \$16,227 and cost allocation revenue of \$7,813 to replace computer hardware and associated software. However, as noted on page 30 of [Exhibit C](#), adjustments are needed for the replacement of computer hardware and associated software. Fiscal staff requests authority to enter a technical adjustment to reflect General Fund appropriations of \$4,207 in FY 2023-2024 and \$4,808 in FY 2024-2025 and cost allocation revenue of \$3,005 in FY 2023-2024 and \$4,808 in FY 2024-2025 for the replacement of computer hardware and associated software.

Fiscal staff recommends Other Closing Item 1 be closed as recommended by the Governor and Other Closing Items 2 and 3 be closed with noted technical adjustments and requests authority to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2719 AS RECOMMENDED BY THE GOVERNOR AND SHOWN ON PAGE 30 OF [EXHIBIT C](#); OTHER CLOSING ITEM 1 DECISION UNIT E-805; OTHER CLOSING ITEM 2 DECISION UNIT E-231; AND OTHER CLOSING ITEM 3 WITH NOTED TECHNICAL ADJUSTMENTS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

The next budget is the NDE Support Services B/A 101-2720 detailed on pages 31 through 36 of [Exhibit C](#). This budget was heard by the Subcommittees on March 22, 2023. The budget supports accounts payable and

receivable, payroll, budgeting, purchasing and IT support functions and is funded by indirect cost assessments charged to other Department budgets.

There are three Major Closing Issues in B/A 101-2720. Major Closing Issue 1 on pages 31 and 32 of [Exhibit C](#) is one new administrative services officer position in decision unit E-230. The Governor recommends reserve reductions of \$223,864 over the 2023-2025 biennium for one new full-time administrative services officer position and associated operating expenditures to assist with budgeting and fiscal responsibilities.

E-230 Efficiency & Innovation — Page K-12 EDUCATION-42

An existing administrative services officer III position supervises both the Accounting Unit and the Budget Unit, which also manages NDE's contracts within the Office of Department Support Services B/A 101-2720. According to the Department, the new position would allow the Office of Department Support Services to restructure and move the Budget Unit directly under the new administrative services officer II position.

The new administrative services officer II position would provide another level of support to enable the Budget Unit to meet increasing demands and allow for timely and thorough reconciliations and technical support for program staff. The duties of the new position are at the top of page 32 of [Exhibit C](#).

During the hearing on March 22, 2023, the Department indicated the new administrative services officer position would provide support and supervision of the budget, attend quarterly Department budget meetings and ensure the NDE work programs are processed timely. The new administrative services officer position would provide dedicated supervision for the Budget Unit and technical assistance to unit staff. The Nevada Department of Education indicated the existing budget analyst III position serves as the supervisor for the Budget Unit but is overextended given the position's other duties.

Do the Subcommittees wish to recommend approval of the Governor's recommendation for reserve reduction of \$223,864 over the 2023-2025 biennium for one new administrative services officer position and

associated expenditures? Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2720 DECISION UNIT E-230 RESERVE REDUCTIONS OF \$223,864 OVER THE 2023-2025 BIENNIUM FOR ONE NEW ADMINISTRATIVE SERVICES OFFICER POSITION AND ASSOCIATED EXPENDITURES AS RECOMMENDED BY THE GOVERNOR; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

Major Closing Issue 2 is one new management analyst position in B/A 101-2720 decision unit E-233. The Governor recommends reserve reductions of \$191,833 over the 2023-2025 biennium for one new full-time management analyst position and associated operating expenditures to assist with contract management.

E-233 Efficiency & Innovation — Page K-12 EDUCATION-43

An existing management analyst II position manages Department contracts. The new management analyst I position would report to the current management analyst II position and would provide additional technical assistance to Department staff as they develop and administer contracts. The Department indicated 127 contracts are active, and 30 contracts are pending with an increase in contracts anticipated based on pending grant proposals. Additional duties and responsibilities for the new position are listed on page 33 of [Exhibit C](#).

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During the budget hearing, the NDE indicated the new management analyst position would assist the current management analyst position with reconciling current contract amounts, requesting contract amendments if needed and closing out contracts. The new position would allow the contract management functions to be divided between establishing new contracts, administering and closing contracts.

Do the Subcommittees wish to recommend approval of the Governor's recommendation for reserve reductions of \$191,833 over the 2023-2025 biennium for one new management analyst position and associated expenditures? Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2720 DECISION UNIT E-233 RESERVE REDUCTIONS OF \$191,833 OVER THE 2023-2025 BIENNIUM FOR ONE NEW MANAGEMENT ANALYST POSITION AND ASSOCIATED EXPENDITURES AS RECOMMENDED BY THE GOVERNOR; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN MONROE-MORENO WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

Major Closing Issue 3 is one new accounting assistant position in B/A 101-2720 decision unit E-232 as detailed on pages 33 and 34 of [Exhibit C](#).

E-232 Efficiency & Innovation — Page K-12 EDUCATION-42

The Governor recommends reserve reductions of \$117,836 over the 2023-2025 biennium for one new full-time accounting assistant position and associated operating expenditures to assist with the NDE's accounts payable function. The Office of Department Support Services B/A 101-2720 has three accounting assistant II positions and one program officer position in its Accounting Unit. However, one accounting assistant II position serves as the Department's payroll clerk and dedicates four to five days every two weeks reviewing and processing timesheets.

According to the NDE, the new accounting assistant III position would assist with accounts payable duties, provide approvals to accounting transactions, allow for redundancy in timesheet processing and provide internal promotional opportunities. Some of the duties and responsibilities of the new position are at the top of page 34 of [Exhibit C](#).

The Nevada Department of Education indicates the Office of Department of Support Services B/A 101-2720 processes journal vouchers, payment vouchers, deposits, federal draws and monthly requests for reimbursements for subgrants. This equates to approximately 3,588 payments each month. Additionally, the implementation of the Pupil-Centered Funding Plan has increased the number of monthly transactions required by the Office. The new accounting assistant position would assist with increasing capacity to support the increased workload. If the position is approved, the NDE estimates the average processing time for accounts payable would decrease from 10 to 20 business days to an average of 10 business days.

During the budget hearing, the NDE indicated the new accounting assistant position would increase the number of positions available to provide accounting level approval for transactions to decrease approval time. This would be most notable during payroll processing weeks, as there would be another accounting assistant position readily available for accounting level approvals. Subcommittee members asked why the workload has increased for the accounting unit with the implementation of the Pupil-Centered Funding Plan, which eliminated the Nevada Plan and in various K-12 categorical programs. In response, the NDE indicated under the Nevada Plan, there was one payment per month for all base funding provided to school districts and charter schools.

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Further, the categorical programs were managed through grants that were processed separately.

Under the new structure of the Pupil-Centered Funding Plan and the different tiers of funding provided for every charter school and school district, multiple lines are entered into the accounting system for payment. As a result, total payments processed has increased from 63 accounting transactions processed per month to over 400, which require accounting level approvals for each transaction.

Do the Subcommittees wish to recommend approval of the Governor's recommendation for reserve reductions of \$117,836 over the 2023-2025 biennium for one new accounting assistant position and associated expenditures? Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2720 DECISION UNIT E-232 RESERVE REDUCTIONS OF \$117,836 OVER THE 2023-2025 BIENNIUM FOR ONE NEW ACCOUNTING ASSISTANT POSITION AND ASSOCIATED EXPENDITURES AS RECOMMENDED BY THE GOVERNOR; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLYWOMAN JAUREGUI:

This is the budget I was waiting to get to when we were having the conversations on the Smartsheet software budget. I support all three of these positions because contrary to what we heard earlier, this budget is consistent and has enough reserves, not just to fund these positions, but also to fund the decisions we made earlier with the Smartsheet software budget.

In FY 2021-2022, the unit brought in close to \$3.3 million from interagency transfers and in FY 2022-2023, \$3.8 million. It is projected to bring in \$5.2 million in FY 2023-2024 and over \$5.5 million in FY 2024-2025, which leads me to believe it will hit that \$4.1 million in reserves.

To make that clear again, this is consistent money coming in from assessments charged to other agencies. I am comfortable with the decisions we made earlier and with approving these budgets.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

There are five Other Closing Items in B/A 101-2720 shown on page 35 of [Exhibit C](#). Other Closing Items 1 and 2 decision units E-710 and E-712 are for equipment replacement as detailed in the table.

E-710 Equipment Replacement — Page K-12 EDUCATION-43
E-712 Equipment Replacement — Page K-12 EDUCATION-44

Other Closing Item 3 decision unit E-711 is an equipment replacement item. The Governor recommends reserve reductions of \$155,534 over the 2023-2025 biennium to fund software for data management, document management and remote desktop management. Fiscal staff noted the equipment schedule and documentation provided reflect different costs. Fiscal staff requests authority to enter a technical adjustment to reduce expenditures by \$750 in each year of the 2023-2025 biennium since the Department stated Zoom software licenses are no longer required in this budget.

E-711 Equipment Replacement — Page K-12 EDUCATION-44

Other Closing Item 4 decision unit E-713 is for equipment replacement. The Governor recommends reserve reductions of \$242,022 over the 2023-2025 biennium to fund software subscription renewals.

E-713 Equipment Replacement — Page K-12 EDUCATION-44

Fiscal staff notes the equipment schedule and documentation provided reflect different costs. Fiscal staff requests authority to reflect reserve reductions of

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\$163,695 in FY 2023-2024 and \$103,104 in FY 2024-2025 to align the request with the equipment schedule and documentation.

Other Closing Item 5 is the cost allocation reimbursement revenue. The Governor recommends cost allocation reimbursements of \$5.2 million in FY 2023-2024 and \$5.5 million in FY 2024-2025, which is based on a restricted rate of 6.8 percent generally assessed on federal grants and an unrestricted rate of 22.1 percent generally assessed on State-funded grants.

Fiscal staff requests authority to enter technical adjustments to reflect the approved restricted and unrestricted rates in each fiscal year and authority to update the indirect cost allocation to reflect the actions made by the Money Committees to the Department budgets contributing to the indirect cost allocation for the 2023-2025 biennium.

The Governor's recommended budget reflects a reserve of \$4.2 million at the end of the 2023-2025 biennium in B/A 101-2720, which equates to approximately 430 days of expenditures. The Nevada Department of Education indicates this reserve will be used to fund possible salary increases that may be approved by the Eighty-second Legislature. Further, the Department expressed concerns that not all projected revenue would be generated as it focuses on expending various federal COVID grants that are expiring and do not contribute to this cost allocation reimbursement.

Fiscal staff recommends Other Closing Items 1 and 2 be closed as recommended by the Governor and Other Closing Items 3, 4 and 5 be closed with the noted technical adjustments, and requests authority for staff to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2720 OTHER CLOSING ITEM 1 DECISION UNIT E-710 AND OTHER CLOSING ITEM 2 DECISION UNIT E-712 AS RECOMMENDED BY THE GOVERNOR; AND APPROVE OTHER CLOSING ITEM 3 DECISION UNIT E-711, OTHER CLOSING ITEM 4 DECISION UNIT E-713 AND OTHER CLOSING ITEM 5 COST ALLOCATION REIMBURSEMENT REVENUE WITH THE NOTED

TECHNICAL ADJUSTMENTS; WITH AUTHORITY FOR FISCAL STAFF TO
MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

The Educator Licensure B/A 101-2705 is on pages 37 through 41 of [Exhibit C](#). This budget was heard by the Subcommittees on March 8, 2023. The Educator Licensure budget funds the Office of Educator Licensure within the NDE. The Office of Educator Licensure is responsible for determining teacher eligibility for licensure and approves and issues licenses for teachers and other educational personnel.

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Major Closing Issue 1 is the new learning management system which the Department indicated is known as the Professional Development Management System (PDMS).

The NDE received approval to expend \$1.4 million in ESSER funds for the implementation of a new learning management system; however, the ongoing cost for the PDMS in the 2023-2025 biennium is not reflected in the Executive Budget.

The PDMS which includes both professional development and micro-credentialing for teachers would require continued maintenance costs that may be funded with user fees. However, except for a management analyst position, none of the fee revenue or costs to maintain the system are included in the Executive Budget.

In October 2021, the NDE received approval from the IFC to expend \$1.4 million in ESSER funds for implementation of the new PDMS and two contract positions to support the annual operation and maintenance costs of \$500,000 for the new PDMS in FY 2022-2023 and FY 2023-2024.

The system contract was reviewed and approved by the GFO's Board of Examiners at its November 2022 meeting. The Nevada Department of Education indicated that although a vendor contract has been signed, it is working with school districts and charter schools to create accounts in the new PDMS platform. The Nevada Department of Education now anticipates an implementation date of fall 2023.

The Nevada Department of Education indicated the annual PDMS maintenance costs of approximately \$500,000 would be self-sustaining in FY 2024-2025 through fees paid by educators to access professional development and micro-credentialing opportunities. The Nevada Department of Education also anticipates additional fees paid by providers for the inclusion of their learning opportunities in the PDMS catalog. However, neither the cost of the system, nor the fee revenue to support it are included in the Executive Budget. It does not appear the NDE has authority to charge its planned fees in the NRS. It appears passage and approval of enabling legislation will be necessary to implement the fee for teachers to use the new learning management system.

To support the PDMS, at its October 20, 2022, meeting the IFC approved a new management analyst position to assist the NDE with implementation and oversight of the new system that would overlap with the contracted position to ensure continuity of operations once the contract position was eliminated. The Nevada Department of Education indicated a qualified contractor was hired in November 2022 and then promoted to a different permanent position within the Department in January 2023. After the budget hearing on March 8, 2023, the NDE clarified, as previously indicated, this system is now referred to as PDMS.

During the budget hearing, Subcommittee members expressed concerns with the ongoing costs for the new system, which the NDE indicated has a target implementation date of fall 2023, and asked why those new system costs were not included in the Executive Budget. The Nevada Department of Education indicated the new system would be funded with fees collected from the

educators once the ESSER funds were no longer available. However, the fees to be assessed on educators to access professional development on the new system would require statutory changes, but enabling legislation has not yet been introduced. To address this issue, Budget Amendment No. A233132705 ([Exhibit F](#)) was submitted by the GFO on April 19, 2023, and recommends ARPA Coronavirus State Fiscal Recovery Funds of \$500,000 in FY 2024-2025 to fund continued maintenance costs for the system.

The Nevada Department of Education further indicated the management analyst position approved by the IFC at its October 20, 2022, meeting to assist the NDE with implementation and oversight was difficult to fill due to the approved salary and lengthy processing time required. According to the Nevada Department of Administration, Division of Human Resource Management, an outside candidate filled the position on April 3, 2023. Fiscal staff notes this position is recommended to be funded with existing funding in B/A 101-2705, which is currently generally provided by educator licensure fees. However, it appears this position could also be funded with the new fees contemplated by the Department in future biennium.

If funding is not approved for the continuation of the PDMS, the NDE indicated it would be discontinued at the end of FY 2023-2024 when the federal ESSER funding is fully utilized.

If the Subcommittees recommend continued funding for this system beyond FY 2023-2024, the Subcommittees may also wish to consider recommending the money committees issue an LOI to the Department requiring it to study the possibility of new user fees being collected in the 2025-2027 biennium for the ongoing support of this system and the management analyst position, and any legislation needed to allow for the collection of such fees.

Do the Subcommittees wish to recommend the continuation of the PDMS by recommending approval of Budget Amendment No. A233132705, [Exhibit F](#), that recommends ARPA Coronavirus State Fiscal Recovery Funds of \$500,000 in FY 2024-2025?

If the Subcommittees recommend approval of Budget Amendment No. A233132705 [Exhibit F](#), they may also wish to recommend the

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Full Committees issue an LOI to the Department requiring it to study the possibility of new user fees being collected in the 2025-2027 biennium for the ongoing support of this system and to provide funding for the management analyst position, and any legislation needed to allow for the collection of such fees. This study could be provided to the IFC no later than August 1, 2024, for consideration as the NDE prepares its budget requests in the Executive Budget for the 2025-2027 biennium.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE BUDGET AMENDMENT NO. A233132705 [EXHIBIT F](#) TO B/A 101-2705 THAT RECOMMENDS ARPA CORONAVIRUS STATE FISCAL RECOVERY FUNDS OF \$500,000 IN FY 2024-2025; ISSUE AN LOI TO THE NDE REQUIRING THE DEPARTMENT TO STUDY THE POSSIBILITY OF NEW USER FEES BEING COLLECTED IN THE 2025-2027 BIENNIUM FOR THE ONGOING SUPPORT OF THIS SYSTEM AND TO PROVIDE FUNDING FOR THE MANAGEMENT ANALYST POSITION AND ANY LEGISLATION NEEDED TO ALLOW FOR THE COLLECTION OF SUCH FEES; DIRECT NDE TO PROVIDE THE STUDY TO IFC NO LATER THAN AUGUST 1, 2024, FOR CONSIDERATION AS THE NDE PREPARES ITS BUDGET REQUESTS IN THE EXECUTIVE BUDGET FOR THE 2025-2027 BIENNIUM.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. CAMACHO-POLKOW:

There are two Other Closing Items in B/A 101-2705. Other Closing Item 1 is equipment replacement decision unit E-710. The Governor recommends reserve reductions of \$9,616 in FY 2023-2024 and \$4,808 in FY 2024-2025 for replacement equipment.

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The Nevada Department of Education confirmed, based on the supporting documentation, the replacement equipment is only needed for four positions. Fiscal staff requests authority to enter a technical adjustment to reflect equipment replacement of four laptop docking stations, four surge protectors, four laptops, eight monitors and four keyboards and mice.

Other Closing Item 2 is a base budget adjustment as shown on page 39 of [Exhibit C](#). At the October 20, 2022, IFC meeting, the Committee approved three new positions for this budget effective in FY 2022-2023 for two administrative assistant positions and one management analyst position. These positions are reflected in the base budget. The Executive Budget does not reflect funding for these three positions from July 2023 through September 2023. The NDE indicated the management analyst position was ultimately approved by the Division of Human Resource Management as a management analyst II position rather than a management analyst III position as reflected in the IFC work program and the Executive Budget. The retirement code for these new positions does not align with the employee-employer pay policy reflected for new positions. Fiscal staff recommends technical adjustments, shown in the adjustments to revenue and expenditures table on page 40 of [Exhibit C](#) to address these issues and increase personnel expenditures by \$42,086 over the 2023-2025 biennium with a corresponding reduction in reserves.

Fiscal staff recommends Other Closing Items 1 and 2 be closed with the noted technical adjustments and requests authority to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE B/A 101-2705 DECISION UNIT E-710 OTHER CLOSING ITEM 1 AND OTHER CLOSING ITEM 2 WITH THE NOTED TECHNICAL ADJUSTMENTS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

ADAM DROST (Principal Program Analyst):

The next budget is the NDE COVID-19 Funding B/A 101-2710 is on pages 43 through 57 of [Exhibit C](#). This budget contains all the federal funding provided for K-12 education in response to the COVID-19 pandemic. It includes ESSER and Governor’s Emergency Education Relief (GEER) funding and the Emergency Assistance to Non-Public Schools programs.

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Three pieces of federal legislation provided this funding for a total of \$1.7 billion. The table at the bottom of page 43 of [Exhibit C](#) provides each of those three pieces of legislation, the grant funding provided to the State of Nevada for K-12 education and the expiration date.

Major Closing Issue 1 on page 44 of [Exhibit C](#) is the planned use of remaining COVID-19 funding. Based on the Executive Budget, the Governor recommended total funding of \$561 million to continue projects funded under the ESSER II, ESSER III and the GEER II programs. However, as of the budget hearing, \$840 million has not been expended for those programs. Therefore, it appears additional funding may be available and could be included in the Legislatively-approved budget.

Fiscal staff would note that the Eighty-first Legislature and the IFC approved various projects to use this funding. The Executive Budget largely reflects the expenditures from the base year FY 2021-2022.

Fiscal staff prepared information for each program for the Subcommittees’ consideration shown on page 45 of [Exhibit C](#). This table shows the ESSER II projects totaling \$477 million approved by the IFC or during the Eighty-first Legislative Session. The bulk of this funding, 90 percent, was to be distributed to school districts and charter schools.

The table on page 46 of [Exhibit C](#) shows projects approved using the \$1.1 billion in ESSER III funds approved from the federal government for the State of Nevada. Again, 90 percent of the total award provided was to be distributed to school districts and charter schools. Other individual projects approved during the Eighty-first Legislative Session or by the IFC are noted on the table.

Page 47 shows approved GEER II funded expenditures. The largest pieces are the School-Based Mental Health Professionals and the Nevada Ready! State Pre-K program.

During the budget hearing, the NDE was asked about its plan to use this federal funding. The Nevada Department of Education indicated it was committed to using all federal funding and asked for some flexibility in doing so.

The NDE specifically indicated it may seek to use unexpended project funding for other purposes in alignment with the federal guidelines. The NDE indicated it would work collaboratively with Fiscal staff and has provided updated revenue and expenditure projections for these programs to Fiscal and asked these be entered as technical adjustments in B/A 101-2710.

On page 48 of [Exhibit C](#) is the updated ESSER II table, which is similar to the earlier ESSER II table, but it also provides a new column on the right with the projected FY 2023-2024 expenditures. This largely reflects expenditures to date based on the amount allocated, less expenditures to date. That is what the Department is asking to be forecasted expenditures in FY 2023-2024.

Some residual funding appears to be left over in the ESSER II funding for the Incentivizing Pathways to Teaching (IPT) program, and \$116,854 is available in FY 2023-2024 for sustaining the SafeVoice Program.

On page 49 of [Exhibit C](#) is the ESSER III program table with the projects approved by the IFC and new columns on the right that show the projected FY 2023-2024 expenditures and the FY 2024-2025 projected expenditures as provided by the NDE. Under the administrative expenses, there are overlap positions for the deputy superintendents that recently retired or resigned. The Nevada Department of Education has indicated it would like to use some of that

remaining residual funding for grant contract positions to help with grant contract management.

On page 50 of [Exhibit C](#), the GEER II table is updated with a new column on the right showing the projected FY 2023-2024 expenditures. It shows approximately \$6.7 million in funding remaining in FY 2023-2024.

During the NDE budget hearing on March 22, 2023, the NDE requested authority to use the funding initially approved for school-based mental health professionals be expanded to cover other mental health services acceptable to the federal government. According to the U.S. Department of Education website, this could include providing online counseling and other mental health supports.

To provide the NDE with the appropriate level of authority to fully expend this federal funding, the Subcommittees could consider recommending approval of the revised expenditure projections. The Nevada Department of Education also requests flexibility to use unexpended project funding for other purposes in alignment with the federal requirements. Since various projects are funded with a single expenditure category in this budget such changes would not require IFC approval.

The Subcommittees may wish to issue an LOI requiring the NDE to submit quarterly reports with the expenditure activity associated with these three grant programs. These quarterly reports could be provided to Fiscal staff 30 days after the close of each quarter and then provided to the IFC at a subsequent meeting. If it is recommended, the LOI could include the bulleted items at the top of page 51 of [Exhibit C](#) including updated expenditures for each project, information on any grant programs or projects that are experiencing issues, notice of the NDE's intent to reallocate funding and notice of the Department's intent to provide funding for any projects that were not previously approved. It could also provide expenditure projections for the remainder of the grant period.

Do the Subcommittees wish to recommend approval of the revised expenditure projections for the ESSER II, ESSER III and GEER II programs in FY 2023-2024 and FY 2024-2025 as provided by the NDE? In addition, do the Subcommittees wish to recommend that the Full Committees issue an LOI to the NDE requiring

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reports to be provided to Fiscal staff 30 days after the close of each quarter for submission to a subsequent IFC meeting, specifying the following be provided in these quarterly reports for each of the three grant programs: the total expenditures for each project through the end of the quarter; information on any grant programs or projects that are experiencing issues, behind schedule, or otherwise at risk of not spending their funding by the grant deadline; notice of the NDE's intent to reallocate funding from one project to another to use grant funding by the federal deadline; notice of the NDE's intent to provide funding for any projects not previously approved by the Legislature or the IFC; and expenditure projections for the remainder of the grant period? Fiscal staff requests authority to enter technical adjustments as necessary.

SENATOR NEAL:

The top of page 49 of [Exhibit C](#) states there are 12 contract positions to support programs. What will those be used for based on the prior budget approvals we just made?

MR. DROST:

It is kind of a mix. Some were being used to track expenditures and financial duties, and some were specifically assigned to assist with projects that needed personnel support.

SENATOR NEAL:

You indicated some contracted positions were used to track financial information. There is money set aside for data collection, funding additional expenditures for Statewide assessments and an audit contract for \$5 million to ensure compliance with conditions of subgrants, agreements, contracts and State and federal requirements. What is the crossover? Are there other monies that would do some of those things?

MR. DROST:

The audit function was an external auditor needed to ensure the NDE complies with all the various federal reporting requirements. As far as some of the others, I cannot speak to any specific one or the related contractors.

CHAIR DONDERO LOOP:

Could NDE shed any light on that particular item for us?

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MS. EBERT:

What I would like to do is separate the two. This is an additional \$1.7 billion that came to the State and that we will no longer have. These positions are specifically for projects in relation to the federal programs. They are monitoring the ESSER II, ESSER III, GEER II and GEER III dollars and the project management for those programs.

In an earlier meeting, we were asked about the nonpublic schools. One of these positions is monitoring all of those dollars, specifically the flow and making sure that they expend them appropriately.

SENATOR NEAL:

It seems like there is a crossover in the General Fund allocation and what the federal dollars are being used for. Although federal dollars have an expiration date in some of the definitions, I see overlaps.

MS. PETERSON:

To give some additional clarity, we have our standard business from before the pandemic. We receive federal and State grants. We have our main operating unit that has been supporting those. That work has continued to grow and exceeds our current staffing. Then, introducing the pandemic and the federal relief funds in order to facilitate that, which is almost equal to our standard business, we requested and built-in additional supports. That is where those contract positions come in.

For example, for the Emergency Assistance for the Non-Public Schools, we have a contract position equivalent to an education program professional. We have an equivalent to a grant analyst to support the subrecipient not only in applying but also how to spend those funds. There is also support for processing the reimbursement requests, supporting the budgets and then processing the payments.

A number of the programs that were proposed under the COVID-19 relief funds have a similar type of structure to support those funds, and that is where you are seeing the contract positions.

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SENATOR NEAL:

A bill is requesting \$50 million for these three pathways in order to create this teacher pathway and curriculum between Nevada System of Higher Education institutions.

On page 48 of [Exhibit C](#), you have the IPT proposed for FY 2023-2024 of \$12 million in ESSER II. In ESSER III, it looks like \$15 million on page 49 of [Exhibit C](#), so \$15 million and \$11 million, as approved, is being requested. Will these two allocations apply to that program, or is this outside of the \$50 million requested in another bill?

MS. EBERT:

The IPT dollars were a proof of concept piece to move forward through federal funds. Within the Executive Budget, there is a request to continue those dollars with the Teach Nevada Scholarship.

What you are noting in a separate bill is the request to, outside of these federal dollars, use the money being requested in General Fund and additional dollars to run that program which are not reflected in this document.

SENATOR NEAL:

The additional dollars would come from where?

MS. PETERSON:

I want to take a step back before we move with the answer and clarify that to provide these projections, the NDE started with the anticipated amount of funding needed for that entire project and subtracted the expenditures year to date. We anticipate some of this will be expended before the fiscal year ends, but in order to provide a starting point for FY 2023-2024, we used a point in time based on what we had experienced so far.

This \$12 million may not be all that is actually needed in FY 2023-2024 if we are able to process all of the reimbursements in FY 2022-2023. The project would essentially end in FY 2023-2024. If passed, the other bills would be the new funding source, with General Fund monies or as proposed to continue the project going forward.

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SENATOR NEAL:

That is helpful. If there is a \$50 million request and then there is a direct overlap in IPT and establishing a program, there must be a correlation. I want to be fiscally prudent.

ASSEMBLYWOMAN BACKUS:

On page 48 of [Exhibit C](#), with respect to the Canvas Learning Management System, there are two line items. One is for \$2 million, and one is for \$1.4 million. It looks like those funds have been exhausted. Do those cover the licensing for the system or the system itself? Does that also cover the personnel? How much longer will we be able to use those funds to cover the platform and the personnel to run the program?

MS. PETERSON:

The two items you see here for Canvas, especially the \$2 million, are for services essentially rendered or to be rendered within FY 2022-2023. We have not received the invoice. We anticipate fully expending those funds in FY 2022-2023. The contract would cover through FY 2022-2023. We were looking for a different source to continue it for FY 2023-2024 and FY 2024-2025.

ASSEMBLYWOMAN BACKUS:

Do you know if this has made it into the Executive Budget as something that may be still floating out there that has not been budgeted for?

MS. EBERT:

It is not included in the Executive Budget.

ASSEMBLYWOMAN BACKUS:

It is hard for me to tell from just the ESSER II chart, but what do you anticipate those costs would be for the next biennium?

MS. EBERT:

For the next biennium, costs are approximately \$5 million. We were looking at some enhancements with the product that would bring costs to \$7 million if the funds were available.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2710 THE REVISED EXPENDITURE PROJECTIONS FOR THE ESSER II, ESSER III, AND GEER II PROGRAMS IN FY 2023-2024 AND FY 2024-2025 AS PROVIDED BY THE NDE; AND RECOMMEND THE FULL COMMITTEES ISSUE AN LOI TO THE NDE REQUIRING REPORTS BE PROVIDED TO FISCAL STAFF 30 DAYS AFTER THE CLOSE OF EACH QUARTER FOR SUBMISSION TO A SUBSEQUENT IFC MEETING TO INCLUDE THE ITEMS SET FORTH ON PAGE 51 OF [EXHIBIT C](#) IN OTHER CLOSING ITEM 1; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

Major Closing Issue 2 for B/A 101-2710 on page 51 of [Exhibit C](#) is the federal Emergency Assistance to Non-Public Schools funding. Inclusive of all decision units, the Governor recommends \$1.9 million in federal Emergency Assistance to Non-Public Schools funding provided by the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 in FY 2023-2024 to support nonpublic or private schools. However, at the time of the budget hearing, funding of approximately \$30 million was remaining and could be included in the Legislatively-approved budget.

Page 52 of [Exhibit C](#) has more detail on this funding. It was provided by two pieces of federal legislation to assist nonprofit, private schools in their recovery from the COVID-19 pandemic. The NDE may reserve up to \$200,000 from each award for administrative costs. The table on page 52 of [Exhibit C](#) provides the funding distribution based on these two pieces of legislation to the nonpublic schools.

Page 53 of [Exhibit C](#) details the budget hearing discussion. The Subcommittees asked the NDE about this federal funding and any challenges the Department has faced. The Nevada Department of Education indicated providing federal funding to nonpublic schools was a new endeavor for both the NDE and these schools. There were some issues collecting the necessary project and expenditure documentation; however, the NDE recently acquired a tool that assisted with this process.

The program funding for the first federal award, the Coronavirus Response and Relief Supplemental Appropriations Act, must be obligated by September 30, 2023. The Nevada Department of Education indicated it recently met with the various nonpublic schools and reassured the schools it was acceptable to not fully expend their awards, but it wished to be made aware of such issues as soon as possible so the NDE could reallocate any remaining funding to other nonpublic schools. The Nevada Department of Education indicated its goal was to fully expend this funding, and it would offer any remaining funding that may not be used by the nonpublic schools to the public schools.

The NDE provided Fiscal staff with updated revenue expenditure projections for these two programs which can be found on the table on page 53 of [Exhibit C](#) which totals \$16.7 million over the biennium. Fiscal staff requests authority to enter technical adjustments to reflect these updated projected expenditures for the Emergency Assistance to Non-Public Schools funding.

Do the Subcommittees wish to recommend approval of the revised funding for the federal Emergency Assistance to Non-Public Schools program over the 2023-2025 biennium based on updated expenditure projections provided by the NDE, which total \$20.2 million in FY 2023-2024 and \$2 million in FY 2024-2025? Fiscal staff requests authority to enter technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE REVISED FUNDING FOR THE FEDERAL EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM IN B/A 101-2710 OVER THE 2023-2025 BIENNIUM BASED ON UPDATED EXPENDITURE PROJECTIONS PROVIDED BY THE NDE

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WHICH TOTAL \$20.2 MILLION IN FY 2023-2024 AND \$2 MILLION IN FY 2024-2025; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

The next issue shown on page 54 of [Exhibit C](#) is the ARPA Coronavirus State Fiscal Recovery Funds. The table on page 54 of [Exhibit C](#) shows how the Governor recommends that funding for the NDE be allocated in the 2023-2025 biennium. Assembly Bill No. 495 of the 81st Legislative Session provided \$200 million in federal Coronavirus State and Local Fiscal Recovery funds to provide grants to school districts and university schools for profoundly gifted pupils to address the impacts of learning loss due to the COVID-19 pandemic.

The table on page 55 of [Exhibit C](#) illustrates how that \$200 million has been allocated. As of this writing, expenditures of \$2 million have been reflected in the State accounting system for this program. However, the [Executive Budget](#) reflects expenditures of \$100 million in each year of the upcoming biennium for A.B. No. 495 of the 81st Legislative Session.

The Nevada Department of Education requested a technical adjustment to reflect expenditures of \$198 million in FY 2023-2024 which reflects the remaining funding available to date. Fiscal staff requests authority to enter this technical adjustment for the A.B. No. 495 of the 81st Legislative Session revenue and expenditures.

Fiscal staff recommends the Coronavirus State Fiscal Recovery Funds in B/A 101-2710 be approved as recommended by the Governor, requests authority to enter a technical adjustment to reflect A.B. No. 495 of the

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81st Legislative Session funding of \$198 million in FY 2023-2024 as requested by the NDE, and requests authority to enter other technical adjustments as needed.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE CORONAVIRUS STATE FISCAL RECOVERY FUNDS IN B/A 101-2710 AS RECOMMENDED BY THE GOVERNOR AND AUTHORIZE FISCAL STAFF TO ENTER A TECHNICAL ADJUSTMENT TO REFLECT A.B. NO. 495 OF THE 81ST LEGISLATIVE SESSION FUNDING OF \$198 MILLION IN FY 2023-2024 AS REQUESTED BY THE NDE; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR NEAL:

In the Executive Budget, we are giving about \$3.4 billion to CCSD. Is this \$150 million in addition to that?

MR. DROST:

That is correct.

SENATOR NEAL:

Will there be some continual reporting on what CCSD is doing with this \$150 million, now that we know there may be some curriculum updates that need to happen?

MR. DROST:

I am not sure about the reporting requirements with A.B. No. 495 of the 81st Legislative Session. We can take a look.

CHAIR DONDERO LOOP:

I am uncertain if there are reporting requirements in A.B. No. 495 of the 81st Legislative Session. Can the NDE confirm or deny?

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MS. EBERT:

Every school district and the State Public Charter School Authority (SPCSA) were required to submit a plan prior to the funding allocation being made available; therefore, A.B. No. 495 of the 81st Legislative Session did not require a report after the funds were made available.

SENATOR NEAL:

Can we require a report even though it is not legislatively in that bill? It is important to know after the money is given, what they spent it on so we can figure out if there is effective education policy being implemented and appropriate activity that will move the education policy and agenda forward. It is a substantial amount of money, and we ought to know what all of them, specifically CCSD which has the majority of schools, are doing.

ASSEMBLYWOMAN BACKUS:

I withdraw my previous motion. I will go ahead and revise my motion.

SENATOR CANNIZZARO:

I withdraw my second.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE CORONAVIRUS STATE FISCAL RECOVERY FUNDS IN B/A 101-2710 AS RECOMMENDED BY THE GOVERNOR; AUTHORIZE FISCAL STAFF TO ENTER TECHNICAL ADJUSTMENTS TO REFLECT A.B. NO. 495 OF THE 81ST LEGISLATIVE SESSION FUNDING OF \$198 MILLION IN FY 2023-2024 AS REQUESTED BY THE NDE; ISSUE AN LOI TO THE NDE REQUIRING REPORTS TO BE PROVIDED TO THE LEGISLATIVE COUNCIL BUREAU FISCAL ANALYSIS DIVISION AT THE END OF THE FISCAL YEAR, SET FORTH ITEMS TO REFLECT COLLECTION OF REPORTS FROM THE SCHOOL DISTRICTS AND THE SPCSA FOR THE SCHOOL DISTRICTS AND CHARTER SCHOOLS WHO RECEIVED FUNDING UNDER A.B. NO. 495 OF THE 81ST LEGISLATIVE SESSION TO REFLECT HOW THAT MONEY WAS USED CONSISTENT WITH THE REQUIREMENTS OF A.B. NO. 495 OF THE 81ST LEGISLATIVE SESSION; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

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SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I did not see charter schools on the list. There are charter schools within the school districts that are school district sponsored, but the SPCSA is not on there.

MR. DROST:

Yes, A.B. No. 495 of the Eighty-first Legislative Session provided \$15 million for charter schools, including school district sponsored charter schools, and that was provided to the SPCSA.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

There are two Other Closing Items for B/A 101-2710 on pages 55 and 56 of [Exhibit C](#). Other Closing Item 1 is the Division of Enterprise IT Services technical adjustments to reflect the correct number of phone lines and business productivity software. Fiscal staff requests authority to enter those adjustments and to balance the federal grant programs based on the final recommendations of the Subcommittees.

Other Closing Item 2 is on page 56 of [Exhibit C](#). This is the expiring grant programs decision unit E-490. Fiscal staff requests authority to make technical adjustments to balance these expiring federal grant programs with the final recommendations of the Subcommittees.

E-490 Expiring Grant/Program — Page K-12 EDUCATION-37

Fiscal staff recommends Other Closing Item 1 be closed as recommended by the Governor with technical adjustments to reflect the updated expenditures of the phone lines and business productivity suite software and to balance the federal

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grant programs based on the recommendations of the Subcommittees, and Other Closing Item 2 be closed as recommended by the Governor with technical adjustments to balance expiring federal grant programs with the updated projected expenditures provided by the NDE and the recommendations of the Subcommittees. Fiscal staff requests authority to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2710 OTHER CLOSING ITEM 1 AS RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS TO REFLECT THE UPDATED EXPENDITURES FOR THE PHONE LINES AND BUSINESS PRODUCTIVITY SUITE SOFTWARE AND TO BALANCE THE FEDERAL GRANT PROGRAMS BASED ON THE RECOMMENDATIONS OF THE SUBCOMMITTEES; AND APPROVE OTHER CLOSING ITEM 2 DECISION UNIT E-490, AS RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS TO BALANCE THE EXPIRING FEDERAL GRANT PROGRAMS WITH THE UPDATED PROJECTED EXPENDITURES PROVIDED BY THE NDE AND THE RECOMMENDATIONS OF THE SUBCOMMITTEES; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

MADISON RYAN (Program Analyst):

Seven budgets remain to be approved by the Subcommittees of which three are NDE operating budgets and four are K-12 budgets. Six of these budgets were previously heard by the Subcommittees and staff is responsible for developing closing recommendations for the final budget.

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First, is the Office of Early Learning and Development B/A 101-2709, which was heard by the Subcommittees on March 22, 2023, and is on pages 59 through 70 of [Exhibit C](#).

NDE - Office of Early Learning and Development — Budget Page K-12
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Budget Account 101-2709

The Office of Early Learning and Development within the NDE manages and administers programs for at-risk children who are ready for kindergarten and programs focused on improving access and quality of early childhood programs throughout the State.

There are three Major Closing Issues within this budget. Major Closing Issue 1 is additional funding for the Nevada Ready! State Pre-K program decision unit E-275.

E-275 Elevating Education — Page K-12 EDUCATION-80

The Governor recommends General Fund appropriations of \$20.1 million over the 2023-2025 biennium for additional funding for the Nevada Ready! State Pre-K program. When combined with the funding included in the base budget, this recommendation would provide total funding of \$28.5 million in FY 2023-2024 and \$31.1 million in FY 2024-2025 for the Nevada Ready! State Pre-K program. This would increase the number of Pre-K seats funded to 3,394 in FY 2023-2024 and 3,694 in FY 2024-2025 based on maintaining the 2021-2023 biennium Legislatively-approved per seat cost of \$8,410 in the 2023-2025 biennium.

For reference, during the Eighty-first Legislative Session, General Fund appropriations of \$19.8 million in each year of the 2021-2023 biennium were approved for the Nevada Ready! State Pre-K program, and the Legislature approved changing the funding methodology for the program using a standard per seat cost of \$8,410 that funded approximately 2,349 full day Pre-K seats in each year of the 2021-2023 biennium.

During the Eighty-first Legislative Session, federal GEER grant funds of \$3.2 million were approved for the NDE COVID-19 Funding B/A 101-2710 for 376.5 additional Pre-K seats in FY 2021-2022.

The Governor's recommendation for General Fund appropriations of \$20.1 million over the 2023-2025 biennium for additional funding for the Nevada Ready! State Pre-K program includes the areas outlined in the table at the bottom of page 61 of [Exhibit C](#).

The Governor recommends funding to replace GEER funds of \$3.2 million in each year of the biennium; funding to replace braided funding to provide 3,094 total seats at \$3.1 million in each year of the biennium; funding to add 300 Pre-K seats beginning in FY 2023-2024 at \$2.5 million in each year of the biennium; and funding to add 300 Pre-K seats beginning in FY 2024-2025 at \$2.5 million in FY 2024-2025. These together total the \$8.8 million recommended in FY 2023-2024 and \$11.3 recommended in FY 2024-2025.

Following the budget hearing, the NDE provided information regarding the braided funding reported by each entity in FY 2021-2022 as outlined in the table at the top of page 63 of [Exhibit C](#), and those entities that indicated they could expand their Pre-K programs should additional funding be available, which is outlined in the list on page 63 of [Exhibit C](#).

The Nevada Department of Education also provided information following the budget hearing regarding the waitlist for the Nevada Ready! State Pre-K program for each entity which is included in the table at the top of page 64 of [Exhibit C](#) and the current vacant seats for FY 2022-2023 for the Nevada Ready! State Pre-K program for each entity, as outlined in the table at the bottom of page 64 of [Exhibit C](#).

Do the Subcommittees wish to recommend approval of the Governor's recommendation for General Fund appropriations of \$8.8 million in FY 2023-2024 and \$11.3 million in FY 2024-2025 in B/A 101-2709 decision unit E-275 to increase the total number of seats for the Nevada Ready! State Pre-K program to approximately 3,394 seats in FY 2023-2024 and 3,694 in FY 2024-2025 with funding distributed based on an annual per-seat cost

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of \$8,410? Fiscal staff requests authority to enter technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS:

Given the federal GEER funding is not available in the upcoming biennium to fund a portion of the costs for the Nevada Ready! State Pre-K program, I believe we need to replace this funding so we can maintain the Pre-K seats that are currently funded by the federal GEER funds. However, rather than using General Fund monies as recommended by the Governor, I would submit the following motion which in total would include federal Coronavirus State Fiscal Recovery Funds of \$6.3 million over the 2023-2025 biennium to fund the Pre-K seats currently funded by the expiring federal GEER grant and \$7.6 million in General Fund appropriations over the 2023-2025 biennium to fund an additional 300 new Pre-K seats in each year of the 2023-2025 biennium. At a minimum, this would fund 3,026 Pre-K seats in FY 2023-2024 and 3,326 Pre-K seats in FY 2024-2025 at a cost per seat of \$8,410. If braided funding is supplied by the providers of the Nevada Ready! State Pre-K program services similar to historic levels, this could provide funding for 3,394 Pre-K seats in FY 2023-2024 and 3,694 Pre-K seats in FY 2024-2025 at a cost a per seat of \$8,410.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES IN B/A 101-2709 TO NOT APPROVE THE GOVERNOR'S RECOMMENDATION OF GENERAL FUNDS DECISION UNIT E-275; TO APPROVE THE USE OF FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS OF \$3,170,447 IN EACH YEAR OF THE 2023-2025 BIENNIUM TO REPLACE THE FEDERAL GEER FUNDING THAT CURRENTLY SUPPORTS THE NEVADA READY! STATE PRE-K PROGRAM; TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR GENERAL FUND APPROPRIATIONS OF \$2,523,000 IN FY 2022-2023 AND \$5,046,000 IN FY 2024-2025 TO ADD 300 NEW PRE-K SEATS IN EACH YEAR OF THE 2023-2025 BIENNIUM; TO NOT APPROVE THE GOVERNOR'S RECOMMENDATION TO REPLACE BRAIDED FUNDING OF \$3.1 MILLION IN EACH YEAR OF THE 2023-2025 BIENNIUM FROM THE PROVIDERS OF THE NEVADA READY! STATE PRE-K PROGRAMS SERVICES AND INSTEAD HAVE THE PROVIDERS CONTINUE TO CONTRIBUTE BRAIDED FUNDING FOR THE PROGRAM; WITH

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AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS
AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS
EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. RYAN:

Major Closing Issue 2 for B/A 101-2709 is for one new education programs professional position in decision unit E-226. The Governor recommends General Fund appropriations of \$223,511 over the 2023-2025 biennium to support data collection and reporting for the Office of Early Learning and Development. The Nevada Department of Education indicates this position would collect, analyze and report on early learning data including quality ratings, assessment scores, program surveys, and budget and fiscal information. This position would work alongside an existing management analyst position to expand access to Infinite Campus to early learners and provide Pre-K information to the Nevada P-20 to Workforce Research Data System.

E-226 Efficiency & Innovation — Page K-12 EDUCATION-79

The Nevada Department of Education indicates the existing management analyst position collects data for the Nevada Ready! State Pre-K program, and the recommended education programs professional position would work to analyze the data and create reports related to quality star ratings, childcare and workforce information. This position would work with other early childhood agencies and programs to support an Early Childhood Integrated Data System which does not exist but is recommended to be developed by the Office of Early Childhood Systems that is proposed to be created within the Office of the Governor through Assembly Bill (A.B.) 113.

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ASSEMBLY BILL 113: Creates the Office of Early Childhood Systems within the Office of the Governor. (BDR 18-65)

The Nevada Department of Education indicates that before the NDE would be able to participate in an Early Childhood Integrated Data System, the NDE would need a Department-specific data system for early childhood data across all NDE offices. This position would be responsible for developing and maintaining this Department-specific data system. During the budget hearing the NDE indicated that it currently collects, analyzes and reports on early learning data by using a variety of Microsoft Excel documents and Smartsheets that are then submitted by email or a Smartsheet form and could result in human error. This position would be responsible for developing and maintaining a Department-specific system for collecting early childhood data which could provide the NDE with a better system for collecting data.

A few technical adjustments are outlined at the bottom of page 66 of [Exhibit C](#) related to the retirement code for the position and travel.

Do the Subcommittees wish to recommend approval of the Governor's recommendation for General Fund appropriations of \$99,890 in FY 2023-2024 and \$123,621 in FY 2024-2025 for the addition of one new education programs professional position and associated operating costs to support data collection and reporting for the Office of Early Learning and Development? If so, Fiscal staff requests authority to enter the noted technical adjustments to account for the appropriate retirement code and reflect travel in the Nevada Ready! Pre-K Admin category and any other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2709 THE GOVERNOR'S RECOMMENDATION FOR GENERAL FUND APPROPRIATIONS OF \$99,890 IN FY 2023-2024 AND \$123,621 IN FY 2024-2025 FOR THE ADDITION OF ONE NEW EDUCATION PROGRAMS PROFESSIONAL POSITION AND ASSOCIATED OPERATING COSTS TO SUPPORT DATA COLLECTION AND REPORTING FOR THE OFFICE OF EARLY LEARNING AND DEVELOPMENT; WITH AUTHORITY FOR FISCAL STAFF TO ENTER THE NOTED TECHNICAL ADJUSTMENTS TO ACCOUNT FOR THE

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APPROPRIATE RETIREMENT CODE AND REFLECT TRAVEL IN THE NEVADA READY! PRE-K ADMIN CATEGORY DECISION UNIT E-226; WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. RYAN:

Major Closing Issue 3 for B/A 101-2709 on pages 67 through 69 of [Exhibit C](#) is the new Federal Preschool Development grant, which was not included in the Executive Budget. The Nevada Department of Education was awarded a \$30 million three-year federal Preschool Development Grant, Birth through 5 Renewal Grant. However, this grant was not included in the Executive Budget. A work program was approved at the April 6, 2023, IFC meeting to accept and establish authority of \$10 million for the first year. Although not reflected in the Executive Budget, the remaining two years of funding could also be included in the budget for the 2023-2025 biennium.

According to the NDE, this grant would allow Nevada to strengthen its Statewide birth through age 5 early childhood care and education system, expand access to new and existing programs and maximize family and parent engagement.

The first year of expenditures are shown in the table at the top of page 68 of [Exhibit C](#) and years two and three that could be included in B/A 101-2709 for FY 2023-2024 and FY 2024-2025 are shown in the table at the bottom of page 68 which outlines the different expenditures that could be funded through this grant.

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The Nevada Department of Education included information regarding pilot seats during the testimony provided during the budget hearing for which the Department indicates, based on the viability of the pilot programs, the Department may request General Fund appropriations in future fiscal years to continue these additional Pre-K seats should federal funding not be available.

Do the Subcommittees wish to recommend including federal grant funding of \$10 million in FY 2023-2024 and \$9.7 million in FY 2024-2025 for the federal Preschool Development Grant, Birth through 5 Renewal Grant, and associated expenditures?

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE INCLUDING FEDERAL GRANT FUNDING OF \$10 MILLION IN FY 2023-2024 AND \$9.7 MILLION IN FY 2024-2025 FOR THE FEDERAL PRESCHOOL DEVELOPMENT GRANT BIRTH THROUGH 5 RENEWAL GRANT AND ASSOCIATED EXPENDITURES IN B/A 101-2709.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR TITUS:

For clarification, would this \$10 million be our 30 percent? We have \$30 million in federal grant, but we are obligated to pay a portion of that. Is the \$10 million we are looking at from our General Fund or the grant money?

MS. RYAN:

The \$10 million is just specific to the grant. The Nevada Department of Education indicates the match requirement of 30 percent is \$3 million for each year of the award, which would be met using the funding already included in the Nevada Ready! State Pre-K program. Those General Fund appropriations were already included in the budget.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

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SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. RYAN:

Other Closing Item 1 in B/A 101-2709 is for replacement equipment. A technical adjustment is outlined on page 70 of [Exhibit C](#) related to this replacement equipment. Fiscal staff recommends Other Closing Item 1 be approved with the noted technical adjustment, and Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE B/A 101-2709 OTHER CLOSING ITEM 1 ON PAGES 70 AND 71 OF [EXHIBIT C](#), WITH THE NOTED TECHNICAL ADJUSTMENT; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. RYAN:

The next budget for the Subcommittees' consideration beginning on page 71 of [Exhibit C](#) is the IDEA B/A 101-2715 previously heard by the Subcommittees on March 8, 2023.

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The IDEA budget includes federal IDEA funding, the Office of Inclusive Education and administrative support for the State's Gifted and Talented Education Program.

Federal IDEA funding is provided through formula grants to states to improve performance of students with disabilities on Statewide assessments. The IDEA grant funding is divided into three programs: the IDEA Part B grant; IDEA Part B Early Childhood Grant; and the IDEA Part D State Personnel Development Grant.

There are four Major Closing Issues in B/A 101-2715. Major Closing Issue 1 is a transfer and change in funding source for a portion of the Nevada Alternative Assessment in decision unit E-901.

E-901 Transfers — Page K-12 EDUCATION-115

The Governor recommends a reduction in federal IDEA funds of \$503,836 over the 2023-2025 biennium by transferring a portion of the contract costs for the Nevada Alternative Assessment from the IDEA budget to the NDE Assessments and Accountability B/A 101-2697 as heard earlier today by the Subcommittees and funding this portion of the assessment cost with General Fund appropriations.

Historically, the IDEA budget funded 23.2 percent of the cost of the Nevada Alternative Assessment contract while the remaining 76.8 percent has been funded through the Assessments and Accountability B/A 101-2697. This decision was made during the 75th Legislative Session to allocate a portion of this budget to fund the Nevada Alternative Assessment, and it was determined to be an allowable use of the IDEA grant funds.

The Nevada Department of Education indicates this recommendation would align the assessments in the Assessment and Accountability budget. The Governor recommends changing the source of funding for this portion of the Nevada Alternative Assessment in the Assessment and Accountability budget to General Fund appropriations of \$377,877 and State Assessment federal revenue of \$125,959 over the 2023-2025 biennium. However, all federal State Assessments grant funding should have funded base budget expenditures

in B/A 101-2697 and as such, this enhancement would be funded by General Fund appropriations totaling \$503,836 over the 2023-2025 biennium, if approved by the Subcommittees.

During the budget hearing, the NDE testified this recommendation is primarily an accounting measure that would align this assessment with other assessments managed by the Department by placing all financial obligations related to assessments in the Assessment and Accountability B/A 101-2697. However, this recommendation is more than an accounting measure as it would require additional General Fund appropriations of \$503,836 over the 2023-2025 biennium to support these assessments. The Subcommittees could determine it is an allowable use of funds to continue funding 23.2 percent of the Nevada Alternative Assessment with IDEA grant funding in B/A 101-2715 for the 2023-2025 biennium.

Should the Subcommittees choose to not recommend approval of the Governor's recommendation to transfer a portion of the Nevada Alternative Assessment from B/A 101-2715 to the Assessment and Accountability B/A 101-2697, it may also wish to direct staff to make a technical adjustment to reflect 23.2 percent of the total projected cost of the Nevada Alternative Assessment in B/A 101-2715 as this has been the historic distribution for this expenditure.

Options for the Subcommittees' consideration include Option A, to recommend approval of transferring a portion of the Nevada Alternative Assessment from the IDEA budget B/A 101-2715 to the Assessment and Accountability B/A 101-2697 and funding this portion of the assessment with total General Fund appropriations of \$503,836 in B/A 101-2697 over the 2023-2025 biennium, including the technical adjustment requested by Fiscal staff since all State Assessments grant funding should have funded base budget expenditures in the Assessment and Accountability B/A 101-2697. Alternatively, Option B is to not recommend approval of the Governor's recommendation to transfer a portion of the Nevada Alternative Assessment from the IDEA B/A 101-2715 to the Assessment and Accountability B/A 101-2697 and continue to fund 23.2 percent of the Nevada Alternative Assessment with federal IDEA funds. If Option B is selected, Fiscal staff

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requests authority to enter a technical adjustment to reflect 23.2 percent of the total projected cost of the Nevada Alternative Assessment in B/A 101-2715.

Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND OPTION B TO THE FULL COMMITTEES TO NOT APPROVE THE GOVERNOR'S RECOMMENDATION TO TRANSFER A PORTION OF THE NEVADA ALTERNATIVE ASSESSMENT FROM THE IDEA B/A 101-2715 DECISION UNIT E-901 TO THE ASSESSMENT AND ACCOUNTABILITY B/A 101-2697 AND INSTEAD APPROVE CONTINUING TO FUND 23.2 PERCENT OF THE NEVADA ALTERNATIVE ASSESSMENT WITH FEDERAL IDEA FUNDS; AND AUTHORIZE FISCAL STAFF TO ENTER A TECHNICAL ADJUSTMENT TO REFLECT 23.2 PERCENT OF THE TOTAL PROJECTED COST OF THE NEVADA ALTERNATIVE ASSESSMENTS IN B/A 101-2715; WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

* * * * *

Ms. RYAN:

Major Closing Issue 2 in B/A 101-2715 beginning on page 74 of [Exhibit C](#) is for one new education programs professional position in decision unit E-275. The Governor recommends General Fund appropriations of \$223,511 over the 2023-2025 biennium for one new full-time education programs professional position to assist with federally required tribal consultations. The Nevada Department of Education indicates the new position would manage all requirements related to the tribal consultation process required by ESSA.

E-275 Elevating Education — Page K-12 EDUCATION-114

Four Nevada school districts are required to consult with tribes located within their districts. The process has not been communicated clearly to both local educational agencies and tribal organizations. The Nevada Department of Education indicates this dedicated position would ensure the consultation process is handled consistently and with fidelity.

The new position would manage all requirements related to the tribal consultation process required by ESSA which would include facilitating meetings and compiling data from past meetings to determine training and technical assistance needs.

The Nevada Department of Education's Student and School Support B/A 101-2712 provides for the distribution and administration of federal grants including the federal Indian Education grant. That budget also funds an education programs professional position that supports the federal Indian Education grant. Budget Amendment No. A231262715 [Exhibit E](#) was submitted by the GFO on March 4, 2023, to transfer the Indian Education grant and the education programs professional position that supports the grant and Indian Education from the Student and School Support budget B/A 101-2712 to the IDEA budget B/A 101-2715.

During the budget hearing, the NDE testified that over the last 18 months there has been significantly more interaction between the local educational agencies and the tribal organizations. This position would help to facilitate that communication.

There is a technical adjustment for the education programs professional position recommended in decision unit E-275 for the retirement code and in relation to Budget Amendment No. A231262715 [Exhibit E](#) submitted by the GFO. The Nevada Department of Education testified during the budget hearing that it restructured its Office of Special Education to the Office of Inclusive Education to centralize programs unique to specific individuals, such as gifted and talented pupils, special education students and for the Indian Education grant. This recommendation to transfer the Indian Education grant and the education

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programs professional position would complete that alignment under the Office of Inclusive Education.

Do the Subcommittees wish to recommend in B/A 101-2715 approval of the Governor's recommendation for General Fund appropriations of \$99,890 in FY 2023-2024 and \$123,621 in FY 2024-2025 in decision unit E-275 for the addition of one new education programs professional position and associated operating costs to assist with federally required tribal consultations? Fiscal staff requests authority to correct the retirement code for this new position to align with those for new positions. Do the Subcommittees' also recommend approval of Budget Amendment No. A231262715 [Exhibit E](#) to transfer the Indian Education grant, an education programs professional position and associated costs from the Student and School Support B/A 101-2712 to the IDEA budget B/A 101-2715?

Fiscal staff requests authority to enter technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2715 GENERAL FUND APPROPRIATIONS OF \$99,890 IN FY 2023-2024 AND \$123,621 IN FY 2024-2025 IN DECISION UNIT E-275 FOR THE ADDITION OF ONE NEW EDUCATION PROGRAMS PROFESSIONAL POSITION AND ASSOCIATED OPERATING COSTS TO ASSIST WITH FEDERALLY REQUIRED TRIBAL CONSULTATIONS RECOMMENDED BY THE GOVERNOR; TO AUTHORIZE FISCAL STAFF TO CORRECT THE RETIREMENT CODE FOR THE NEW POSITION TO ALIGN WITH THOSE OF NEW POSITIONS; AND TO APPROVE BUDGET AMENDMENT NO. A231262715 [EXHIBIT E](#) TO TRANSFER THE INDIAN EDUCATION GRANT, AN EDUCATION PROGRAMS PROFESSIONAL POSITION AND ASSOCIATED COSTS FROM THE STUDENT AND SCHOOL SUPPORT B/A 101-2712 TO THE IDEA BUDGET B/A 101-2715; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

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SENATOR TITUS:

Why are only 4 Nevada school districts—Churchill, Clark, Elko and Washoe—required to consult with tribes in their district and not the other 13 counties that have tribes in them?

MS. RYAN:

Information at the top of page 75 of [Exhibit C](#) outlines the requirements for the tribal consultation process. It is for local educational agencies with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency or that received more than \$40,000 in Title VI of the Elementary and Secondary Education Act of 1965 Indian Education formula grants in the previous fiscal year that are subject to the outlined tribal consultation process.

SENATOR TITUS:

If they applied and received grants, then they have certain obligations. Did these other counties not apply for those grants?

CHAIR DONDERO LOOP:

Would the NDE have someone who can answer that question?

SENATOR TITUS:

We know that some schools on Indian reservations are having difficult times, specifically in Owyhee and Duckwater. Where do they fit in the process?

MS. PETERSON:

It will be different for each one of the districts, and we would have to reach out to them to confirm which of the scenarios were applicable at that time. There was also a provision in terms of the amount of funding, so if they applied for less than \$40,000, they also would not have been required to submit. We could provide that information.

SENATOR TITUS:

With all the conversations regarding some of the schools on reservations, I would like to see which schools applied, which did not and how much funding they did get.

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ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

* * * * *

Ms. RYAN:

Major Closing Issue 3 for B/A 101-2715 shown on page 76 of [Exhibit C](#) is for one new grants and projects analyst position in decision unit E-225.

E-225 Efficiency & Innovation — Page K-12 EDUCATION-113

The Governor recommends federal IDEA grant funding of \$173,587 over the 2023-2025 biennium for one new grants and projects analyst position to manage various Office of Inclusive Education data. This position would assist with grant reporting requirements, collect and analyze data, and assist the Department in implementing best practices for data management.

The Nevada Department of Education indicates this position would compile data and prepare reports regarding program activities in relation to the implementation and evaluation of Nevada's Statewide Plan for the Improvement of Pupils, which outlines six goals to guide the improvement of Nevada's Pre-K through Grade 12 education system over a five-year period. Goals are outlined on page 77 of [Exhibit C](#).

While the Governor recommends this position be funded with federal IDEA grant funding in each year of the 2023-2025 biennium, the supporting documentation indicates this position should be funded with General Fund appropriations. The Nevada Department of Education confirms General Fund appropriations would be the most appropriate funding source since this position would support the entire Office of Inclusive Education.

In response to questions during the budget hearing, the NDE testified that the grants and projects analyst position was no longer recommended to move forward as part of the Executive Budget since the Department indicates the

most appropriate funding source for this position is General Fund appropriations. The GFO determined a budget amendment would not be submitted to reflect this funding change.

The Nevada Department of Education indicated should this position be approved and funded with the IDEA grant funding, the position would not be able to perform the full scope of the planned work and would be limited to supporting work related to students with disabilities. Should the Subcommittees wish to recommend approval of this position funded with General Fund appropriations, it may wish to recommend the Full Committees issue an LOI directing the NDE to study the time, effort and funding for this position that should be cost allocated between IDEA grant funding and General Fund appropriations and report its findings to the IFC.

During the budget hearing, the NDE indicated it would still be able to fully implement the Statewide Plan for the Improvement of Pupils without the addition of the grants and projects analyst position, and should this position not be approved, existing staff would complete this work as time and workload capacity would allow.

The Subcommittees' could consider several options. Option A would recommend approval of federal IDEA grant funding of \$77,096 in FY 2023-2024 and \$96,491 in FY 2024-2025 in B/A 101-2715 decision unit E-225 for the addition of one new grants and projects analyst position and associated operating costs to manage various Office of Inclusive Education data as recommended by the Governor. Funding the position with this source would not allow the position to perform the full scope of the planned work and would limit the position to supporting work related to students with disabilities.

Alternatively, Option B would recommend approval of General Fund appropriations of \$77,096 in FY 2023-2024 and \$96,491 in FY 2024-2025 for the addition of one new grants and projects analyst position and associated operating costs to manage various Office of Inclusive Education data. Funding the position with this source would allow the position to perform the full scope of the planned work, beyond supporting work related to students with disabilities. Since some of the duties and responsibilities for this position would support work related to students with disabilities, the Subcommittees may wish

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to consider recommending that the Full Committees issue an LOI directing the Department to study the time, effort, and funding for this position that should be cost allocated between IDEA grant funding and General Fund appropriations and report its findings to the IFC by August 1, 2024, for possible consideration as the Executive Budget for the 2025-2027 biennium is developed.

Option C would not recommend approval of the Governor's recommendation for the addition of one new grants and projects analyst position in B/A 101-2715 decision unit E-225 and associated operating costs to manage various Office of Inclusive Education data since the NDE indicates it would still be able to fully implement the Statewide Plan for the Improvement of Pupils without the additional position.

Fiscal staff requests authority to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS:

I would support a motion that is a hybrid of options A and B on page 78 of [Exhibit C](#).

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO NOT APPROVE IN B/A 101-2715 DECISION UNIT E-225 AND INSTEAD APPROVE FUNDING OF \$77,096 IN FY 2023-2024 AND \$96,491 IN FY 2024-2025 FOR THE ADDITION OF ONE NEW GRANTS AND PROJECTS ANALYST POSITION AND ASSOCIATED OPERATING COSTS TO MANAGE VARIOUS OFFICE OF INCLUSIVE EDUCATION DATA; WITH THIS POSITION AND ASSOCIATED OPERATING COSTS FUNDED WITH 50 PERCENT GENERAL FUND APPROPRIATIONS AND 50 PERCENT FEDERAL IDEA GRANT FUNDS; ISSUE AN LOI DIRECTING THE NDE TO STUDY THE TIME AND EFFORT FOR THIS POSITION AND HOW THE FUNDING SHOULD BE COST ALLOCATED BETWEEN FEDERAL IDEA GRANT FUNDING AND GENERAL FUND APPROPRIATIONS IN FUTURE BIENNIA AND REPORT ITS FINDINGS TO THE IFC BY AUGUST 1, 2024, FOR POSSIBLE CONSIDERATION AS THE EXECUTIVE BUDGET FOR THE 2025-2027 BIENNIUM IS DEVELOPED; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

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SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

Major Closing Issue 4 for B/A 101-2715 is for one new education programs professional position in decision unit E-231.

E-231 Efficiency & Innovation — Page K-12 EDUCATION-114

The Governor recommends federal IDEA grant funding of \$220,941 over the 2023-2025 biennium for one new education programs professional position to monitor local educational agencies' administration of this federal grant.

This position would manage a monitoring system to ensure school districts and charter schools comply with the statutory and regulatory requirements of the IDEA. According to the NDE this recommendation is necessary to implement the requirements of the federal IDEA regulations which includes State monitoring, enforcing and reporting on the implementation of the Act. The Nevada Department of Education indicates this position would develop monitoring strategies; ensure corrective action of noncompliance by enforcing regulations, policies, and procedures; and provide professional development and technical assistance. During the budget hearing, the NDE testified the education programs professional position would allow the Department to be more proactive, rather than reactive, when working with the local educational agencies and would assist with developing the corrective action plans, if necessary, for these local educational agencies.

Two technical adjustments are outlined on of page 80 of [Exhibit C](#) related to the retirement code and travel expenditures of \$13,439 in each year of the

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2023-2025 biennium which were not included in the Executive Budget for this position.

Do the Subcommittees wish to recommend approval of the Governor's recommendation in B/A 101-2715 decision unit E-231 for federal IDEA grant funding of \$98,605 in FY 2023-2024 and \$122,336 in FY 2024-2025 for the addition of one new education programs professional position and associated operating costs to monitor local educational agencies' administration of this federal grant? If so, Fiscal staff requests authority to enter the noted technical adjustment to account for the appropriate retirement code and any other technical adjustments as necessary. Do the Subcommittees wish to recommend approval of travel-related expenditures for this position of \$13,489 in each year of the 2023-2025 biennium funded with federal IDEA funds?

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES IN B/A 101-2715 DECISION UNIT E-231 TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR FEDERAL IDEA GRANT FUNDING OF \$98,605 IN FY 2023-2024 AND \$122,336 IN FY 2024-2025 FOR THE ADDITION OF ONE NEW EDUCATION PROGRAMS PROFESSIONAL POSITION AND ASSOCIATED OPERATING COSTS TO MONITOR LOCAL EDUCATIONAL AGENCIES' ADMINISTRATION OF THE IDEA FEDERAL GRANT; AUTHORIZE FISCAL STAFF TO ENTER THE NOTED TECHNICAL ADJUSTMENT TO ACCOUNT FOR THE APPROPRIATE RETIREMENT CODE; APPROVE TRAVEL-RELATED EXPENDITURES FOR THIS POSITION OF \$13,489 IN EACH YEAR OF THE 2023-2025 BIENNIUM FUNDED WITH FEDERAL IDEA FUNDS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR NEAL SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

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SENATE: THE MOTION CARRIED. (SENATORS CANNIZZARO AND
SEEVERS GANSERT WERE EXCUSED FOR THE VOTE.)

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Ms. RYAN:

Other Closing Item 1 in B/A 101-2715 is for replacement equipment and a technical adjustment related to this replacement equipment request as outlined on page 81 of [Exhibit C](#). Fiscal staff recommends Other Closing Item 1 be approved with the noted technical adjustments and Fiscal staff requests authority to make other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE
FULL COMMITTEES TO APPROVE REPLACEMENT EQUIPMENT IN
B/A 101-2715 OTHER CLOSING ITEM 1 WITH THE NOTED TECHNICAL
ADJUSTMENTS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE
OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR NEAL SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS
EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATORS CANNIZZARO AND
SEEVERS GANSERT WERE EXCUSED FOR THE VOTE.)

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Ms. RYAN:

The next budget for the Subcommittees' consideration is the Safe and Respectful Learning B/A 101-2721 which was heard by the Subcommittees on March 22, 2023, on pages 83 through 91 of [Exhibit C](#). The Safe and Respectful Learning budget isolates the expenditures associated with the Office for a Safe and Respectful Learning Environment and the Department's SafeVoice anti-bullying program.

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NDE - Safe and Respectful Learning — Budget Page K-12 EDUCATION-82
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There are four Major Closing Issues in B/A 101-2721. Major Closing Issue 1 on page 83 of [Exhibit C](#) is for the SafeVoice licensing fee decision unit E-350 in B/A 101-2721.

E-350 Promoting Healthy, Vibrant Communities — Page K-12 EDUCATION-85

The Governor recommends General Fund appropriations of \$772,000 over the 2023-2025 biennium to fund the software licensing fee for the SafeVoice tip line that was funded with federal grant funds over the 2021-2023 biennium.

The SafeVoice licensing fee for the 2021-2023 biennium was funded using ESSER funds in the NDE COVID-19 Funding B/A 101-2710. The Nevada Department of Education indicated this recommendation to use General Fund appropriations would provide a stable funding source to maintain the system on an ongoing basis. Information related to the SafeVoice tips is on page 84 of [Exhibit C](#).

Given the expiration of the federal grant funds, the Governor recommends funding the annual licensing fee for the SafeVoice mobile application and reporting system with General Fund appropriations over the 2023-2025 biennium. However, this recommendation is for \$386,000 in each year of the 2023-2025 biennium to fund the annual licensing fee, but supporting documentation indicates it is expected to cost \$193,000 in each year of the 2023-2025 biennium. Budget Amendment No. A232392721 ([Exhibit G](#)) was submitted by the GFO and recommends reducing General Fund appropriations by \$193,000 in each year of the 2023-2025 biennium in alignment with projected expenditures.

Following the budget hearing, the NDE indicated it was in the process of reconciling federal funding in NDE COVID-19 Funding B/A 101-2710 for the 2023-2025 biennium and identified \$116,854 of funding within the NDE COVID-19 Funding budget to be available to provide funding for the SafeVoice Program in FY 2023-2024. As such, the Subcommittees could

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consider using funding in the NDE COVID-19 Funding B/A 101-2710 to fund a portion of the licensing fee for the SafeVoice program in FY 2023-2024.

Do the Subcommittees wish to recommend approval of General Fund appropriations of \$76,146 in FY 2023-2024 and \$193,000 in FY 2024-2025 to fund the annual licensing fee for the SafeVoice reporting system, including Budget Amendment No. A232392721 [Exhibit G](#) and the noted technical adjustment to reduce General Fund appropriations by an additional \$116,854 in FY 2023-2024 due to federal funding of \$116,854 identified in the NDE COVID-19 Funding B/A 101-2710 to fund a portion of the annual licensing fee for the SafeVoice reporting system?

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE GENERAL FUND APPROPRIATIONS OF \$76,146 IN FY 2023-2024 AND \$193,000 IN FY 2024-2025 TO FUND THE ANNUAL LICENSING FEE FOR THE SAFEVOICE REPORTING SYSTEM, INCLUDING BUDGET AMENDMENT NO. A232392721 [EXHIBIT G](#) AND THE NOTED TECHNICAL ADJUSTMENT TO REDUCE GENERAL FUND APPROPRIATIONS BY AN ADDITIONAL \$116,854 IN FY 2023-2024 DUE TO FEDERAL FUNDING OF \$116,854 IDENTIFIED IN THE NDE COVID-19 FUNDING B/A 101-2710 TO FUND A PORTION OF THE ANNUAL LICENSING FEE FOR THE SAFEVOICE REPORTING SYSTEM IN DECISION UNIT E-350 IN B/A 101-2721.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

Major Closing Issue 2 in B/A 101-2710 on pages 85 through 88 of [Exhibit C](#) is for one new program officer position in decision unit E-352.

E-352 Promoting Healthy, Vibrant Communities — Page K-12 EDUCATION-86

The Governor recommends General Fund appropriations of \$171,168 over the 2023-2025 biennium for one new program officer position to support the SafeVoice and Handle with Care programs. The Nevada Department of Education indicates this position would support the existing education programs professional position dedicated to school safety.

The SafeVoice program serves as a Statewide bullying prevention and notification tool and the Handle with Care program requires law enforcement officers to report to a school when they encounter a school age child who may have been exposed to a traumatic event. The new program officer position would assist with the continued implementation of the Handle with Care program by increasing law enforcement knowledge of the Handle with Care program and informing school staff on effective trauma-related practices.

The Nevada Department of Education indicates SafeVoice tips have increased in recent fiscal years, especially related to adult-to-child bullying and discrimination. This position would assist with those tips. Following the budget hearing, the NDE provided information on the number of tips in recent fiscal years to indicate how those have increased. The Nevada Department of Education testified this position would review SafeVoice tips and compile data and information to create a training plan so training plans and materials would be available to meet the needs of the school districts when they arise.

There is one technical adjustment for this position as outlined at the top of page 88 of [Exhibit C](#) related to the retirement code.

Do the Subcommittees wish to recommend approval of the Governor's recommendation in B/A 101-2721 decision unit E-352 for General Fund appropriations of \$75,996 in FY 2023-2024 and \$95,172 in FY 2024-2025 for the addition of one new program officer position and associated costs to support the SafeVoice and Handle with Care programs? Fiscal staff requests

authority to enter the noted technical adjustment to account for the appropriate retirement code and other technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES IN B/A 101-2721 DECISION UNIT E-352 TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR GENERAL FUND APPROPRIATIONS OF \$75,996 IN FY 2023-2024 AND \$95,172 IN FY 2024-2025 FOR THE ADDITION OF ONE NEW PROGRAM OFFICER POSITION AND ASSOCIATED COSTS TO SUPPORT THE SAFEVOICE AND HANDLE WITH CARE PROGRAMS; AND AUTHORIZE FISCAL STAFF TO ENTER THE NOTED TECHNICAL ADJUSTMENT TO ACCOUNT FOR THE APPROPRIATE RETIREMENT CODE; WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

Major Closing Issue 3 for B/A 101-2721 on pages 88 and 89 of [Exhibit C](#) is a funding source change for one program officer position, decision units E-275 and E-490.

E-275 Elevating Education — Page K-12 EDUCATION-85

E-490 Expiring Grant/Program — Page K-12 EDUCATION-86

The Governor recommends the elimination of federal Trauma Recovery grant funding of \$733,165 and federal New School Climate grant funding of \$1.3 million over the 2023-2025 biennium to reflect the expiration of the federal grants and a General Fund appropriation of \$78,479 in FY 2024-2025 to

fund an existing program officer position currently funded with the expiring federal Trauma Recovery grant funds scheduled to expire in September 2024. The Nevada Department of Education indicates this position is needed beyond that date to support trauma related issues.

This position's duties include ensuring students have access to trauma services in a timely manner, regardless of the ability to pay; working with providers to improve the capacity of Nevada mental health agencies' abilities to provide trauma interventions in a manner that addresses students' cultural and linguistic needs; and working with local educational agencies to identify, support, and refer students with trauma in order to help students overcome learning barriers.

The Nevada Department of Education indicates this position would continue to perform these duties if approved to continue. Following the budget hearing, the Department indicated the ongoing duties for the program officer position could not be handled by the remaining staff in this budget.

Do the Subcommittees wish to recommend approval of the Governor's recommendation to eliminate federal grant fund revenue of \$2 million over the 2023-2025 biennium to reflect the expiration of the Trauma Recovery grant and the New School Climate grant as shown on pages 88 and 89 of [Exhibit C](#)? Additionally, do the Subcommittees wish to recommend approval of the Governor's recommendation for the continuation of a program officer position by replacing expiring federal grant funds with a General Fund appropriation of \$78,479 in FY 2024-2025? Fiscal staff requests authority to enter technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES IN B/A 101-2721 DECISION UNITS E-275 AND E-490 TO APPROVE THE GOVERNOR'S RECOMMENDATION TO ELIMINATE FEDERAL GRANT FUND REVENUE OF \$2 MILLION OVER THE 2023-2025 BIENNIUM, REFLECTING THE EXPIRATION OF THE TRAUMA RECOVERY GRANT AND THE NEW SCHOOL CLIMATE GRANT; APPROVE THE CONTINUATION OF A PROGRAM OFFICER POSITION BY REPLACING EXPIRING FEDERAL GRANT FUNDS WITH A GENERAL FUND APPROPRIATION OF \$78,479 IN FY 2024-2025; WITH AUTHORITY FOR

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FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

Major Closing Issue 4 on pages 89 and 90 of [Exhibit C](#) is for school climate and working conditions surveys in decision unit E-351 in B/A 101-2721.

E-351 Promoting Healthy, Vibrant Communities — Page K-12 EDUCATION-86

The Governor recommends General Fund appropriations of \$1 million over the 2023-2025 biennium for school climate and working conditions surveys. The Nevada Department of Education indicates this recommendation will fund a contract with American Institutes for Research to provide school staff with the opportunity to provide feedback on working conditions and school climates. However, the Department indicates this enhancement is no longer needed as ARPA Coronavirus State Fiscal Recovery Funds were approved by the IFC at its October 20, 2022, meeting for the same purpose. The GFO submitted Budget Amendment No. A232372721 ([Exhibit H](#)) which recommends eliminating this decision unit.

Do the Subcommittees wish to recommend approval of Budget Amendment No. A232372721 [Exhibit H](#) which would eliminate decision unit E-351 in B/A 101-2721 and General Fund appropriations of \$1 million over the 2023-2025 biennium for school climate and working conditions surveys, which would be funded with ARPA Coronavirus State Fiscal Recovery Funds?

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE BUDGET AMENDMENT NO. A232372721 [EXHIBIT H](#) WHICH WOULD ELIMINATE DECISION UNIT E-351 IN B/A 101-2721 AND GENERAL FUND APPROPRIATIONS OF \$1 MILLION OVER THE 2023-2025 BIENNIUM FOR SCHOOL CLIMATE AND WORKING CONDITIONS SURVEYS FUNDED WITH ARPA CORONAVIRUS STATE FISCAL RECOVERY FUNDS.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

The next budget and the first K-12 budget for the Subcommittees' consideration is the Professional Development Programs budget B/A 101-2618, which was previously heard by the Subcommittees on March 24, 2023, and begins on page 93 of [Exhibit C](#).

NDE - Professional Development Programs – Budget Page K-12 EDUCATION-18
(Volume I)
Budget Account 101-2618

The Professional Development Programs B/A 101-2618 on pages 93 through 101 of [Exhibit C](#) supports the Regional Professional Development Programs (RPDP) which provide research based professional development opportunities for teachers and administrators Statewide. There are three regional training programs across the State: the Southern Nevada Regional Training Program, the Northwestern Nevada Regional Training Program and the Northeastern Nevada Regional Training Program.

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Major Closing Issue 1 in B/A 101-2618 decision unit E-276 is additional funding for the RPDP.

E-276 Elevating Education — Page K-12 EDUCATION-18

The Governor recommends General Fund appropriations of \$447,412 over the 2023-2025 biennium for an approximate 3 percent increase in funding for the RPDP to address increased costs the programs have experienced over recent fiscal years. When combined with the funding included in the base budget, this recommendation would provide total funding of \$7.5 million in each year of the 2023-2025 biennium for the RPDP.

Information regarding the distribution of this funding between the programs and the school districts for each program is outlined on page 94 of [Exhibit C](#). The number of teachers and administrators served and some information regarding the professional development performed by the RPDP can be found on page 95 of [Exhibit C](#).

The Governor recommends General Fund appropriations for an approximate 3 percent increase in the Executive Budget; however, the GFO indicates this should have been an exact 3 percent increase.

In the Eightieth Legislative Session, the Governor recommended a 2 percent overall increase for the programs. However, the Legislature approved a 3 percent cost of living adjustment (COLA) instead. In alignment with the methodology used during the 2019-2021 biennium, the Subcommittees could consider a funding increase for the RPDP based on a COLA on salaries only rather than an overall increase in funding.

The Nevada Department of Education indicates the RPDP have expressed a 6 percent COLA would be more appropriate than a 3 percent COLA should the Subcommittees determine to use a COLA as the methodology.

Following the budget hearing, the NDE provided some information on what that COLA may look like in addition to a commensurate increase in benefits to include a 3.75 percent Public Employees Retirement System (PERS) increase. This information is outlined in the tables on page 97 of [Exhibit C](#) showing

a 3 percent COLA in the first table and 6 percent COLA in the second table with the 3.75 percent PERS increase.

I would note the Legislature reduced funding for the RPDP during the Thirty-first Special Session, and this recommendation in the Executive Budget would not restore that level of funding.

The Subcommittees could consider several options as shown on page 99 of [Exhibit C](#). Option 1 recommends approval of the Governor's recommendation in decision unit E-276, B/A 101-2618 for General Fund appropriations of \$217,191 in each year of the 2023-2025 biennium, which includes a technical adjustment to reflect an exact 3 percent increase in funding for the RPDP to address increased costs the programs have experienced over recent fiscal years.

Option 2 recommends approval of General Fund appropriations of \$116,231 in each year of the 2023-2025 biennium for a 3 percent COLA increase for the RPDP consistent with the methodology used during the 2019-2021 biennium.

Option 3 recommends approval of General Fund appropriations of \$265,879 in each year of the 2023-2025 biennium for a 3 percent COLA and 3.75 percent PERS increase for the RPDP.

Option 4 recommends approval of General Fund appropriations of \$232,462 in each year of the 2023-2025 biennium for a 6 percent COLA increase for the RPDP consistent with the methodology used during the 2019-2021 biennium.

Option 5 recommends approval of General Fund appropriations of \$386,469 in each year of the 2023-2025 biennium for a 6 percent COLA and 3.75 percent PERS increase for the RPDP.

Option 6 recommends approval of General Fund appropriations of \$327,696 in each year of the 2023-2025 biennium to restore the RPDP to prepandemic funding levels.

Option 7 does not recommend approval of the Governor's recommendation to increase General Fund appropriations for additional funding for the RPDP in the 2023-2025 biennium.

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Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES FOR B/A 101-2618 TO APPROVE OPTION 6 ON PAGE 99 OF [EXHIBIT C](#), GENERAL FUND APPROPRIATIONS OF \$327,696 IN EACH YEAR OF THE 2023-2025 BIENNIUM TO RESTORE THE REGIONAL PROFESSIONAL DEVELOPMENT PROGRAMS TO PREPANDEMIC FUNDING LEVELS; TO NOT APPROVE B/A 101-2618 DECISION UNIT E-276 OPTION 1 ON PAGE 99 OF [EXHIBIT C](#); WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

There are three Other Closing Items in this budget shown on page 100 of [Exhibit C](#). Other Closing Item 1 is the Teacher of the Year program. The Subcommittees approved providing Fiscal staff with authority to enter a technical adjustment to transfer the State Teacher of the Year program to the Educator Effectiveness B/A 101-2612 on April 12, 2023.

NDE - Educator Effectiveness — Budget Page K-12 EDUCATION-66 (Volume I)
Budget Account 101-2612

Other Closing Items 2 and 3 are related to back language to be included in the K-12 Education Funding Bill.

Fiscal staff recommends Other Closing Item 1 in B/A 101-2618 with the noted technical adjustment and recommends the language outlined in Other Closing

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Items 2 and 3 be added to the 2023 K-12 Education Funding Bill for the 2023-2025 biennium as shown on page 100 of [Exhibit C](#). Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE IN B/A 101-2618 OTHER CLOSING ITEM 1 WITH THE NOTED TECHNICAL ADJUSTMENT TO TRANSFER THE STATE TEACHER OF THE YEAR PROGRAM TO THE EDUCATOR EFFECTIVENESS B/A 101-2612; AND ADD THE LANGUAGE OUTLINED IN OTHER CLOSING ITEMS 2 AND 3 TO THE 2023 K-12 EDUCATION FUNDING BILL FOR THE 2023-2025 BIENNIUM; WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

The next budget for the Subcommittees' consideration is the Other State Education Programs B/A 101-2699 found on pages 103 through 108 of [Exhibit C](#). This budget was previously heard by the Subcommittees on March 24, 2023. The Other State Education Programs budget is designed to accommodate grants and other programs funded by the State specifically for pass-through to the school districts, charter schools and other entities for various educational programs.

NDE - Other State Education Programs — Budget Page K-12 EDUCATION-16
(Volume I)
Budget Account 101-2699

Major Closing Issue 1 in this budget is for a new dual language pilot program in decision unit E-281 in B/A 101-2699.

E-281 Elevating Education — Page K-12 EDUCATION-17

The Governor recommends General Fund appropriations of \$10.5 million over the 2023-2025 biennium for a new dual language pilot program. The Nevada Department of Education indicates dual language immersion programs that teach students in English and another language simultaneously allow students to become bilingual, enhance their academic possibilities, and maintain their home languages to build community involvement.

The Nevada Department of Education indicates two school districts and an SPCSA-sponsored charter school are operating a dual language program as outlined at the top of page 104 of [Exhibit C](#). While the Governor recommends General Fund appropriations of \$5.3 million in each year of the 2023-2025 biennium for a dual language pilot program, the supporting documentation indicates funding for the dual language pilot program should be \$2.6 million in each year of the 2023-2025 biennium.

Budget Amendment No. A232542699 ([Exhibit I](#)) was submitted by the GFO which recommends reducing General Fund appropriations by \$2.6 million in each year of the 2023-2025 biennium. During the Eighty-first Legislative Session, the number of categorical K-12 education programs was reduced when the initial implementation of the Pupil-Centered Funding Plan was approved. This was intended to simplify the K-12 education funding provided by the State by reducing the number of categorical programs. However, the Governor's recommendation would establish a new dual language pilot program that would provide K-12 education funding outside the Pupil-Centered Funding Plan. The Subcommittees could consider not approving this new dual language program as a categorical program and instead provide additional funding to the Pupil-Centered Funding Plan.

During the budget hearing, the NDE testified that the dual language pilot program would target elementary schools throughout the State, and enrollment for Nevada elementary schools ranges between 200 and 800 students. The Nevada Department of Education estimates it would cost approximately

\$400,000 to \$500,000 per school and the dual language pilot program would fund approximately four to six elementary schools depending on the enrollment of the schools.

Fiscal staff would note that NRS 387.12445, subsection 10, paragraph (b), subparagraph (8) allows English Learner weighted funding to be used for services that have a demonstrated record of success for similarly situated pupils in comparable school districts and have been reviewed and approved as a Zoom service by the Superintendent of Public Instruction.

Following the budget hearing, the NDE indicated it has identified the topic of using English Learner weighted funding to establish dual language programs as a discussion topic for the Commission on School Funding during the 2023-2025 biennium.

In keeping with the decisions made during the Eighty-first Legislative Session, the Subcommittees could recommend the establishment of a new dual language pilot categorical program not be approved and instead transfer this funding to the Pupil-Centered Funding Plan B/A 203-2609 for the 2023-2025 biennium. Additionally, the Subcommittees could recommend issuing an LOI to the NDE and the Commission on School Funding to study over the 2023-2025 biennium whether it would be an allowable use of funds to use English Learner weighted funding to establish dual language programs and determine if a new dual language program weight should be established in the Pupil-Centered Funding Plan.

NDE - Pupil-Centered Funding Plan Account — Budget Page K-12
EDUCATION-12 (Volume I)
Budget Account 203-2609

The Subcommittees could consider several options as shown on page 107 of [Exhibit C](#). Option A recommends approval of the Governor's recommendation in decision unit E-281 in B/A 101-2699 for General Fund appropriations of \$5.3 million in each year of the 2023-2025 biennium for a new dual language pilot program.

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Option B recommends approval of the revised General Fund appropriations of \$2.6 million in each year of the 2023-2025 biennium for a new dual language pilot program, as recommended in Budget Amendment No. A232542699 [Exhibit I](#).

Option C would not recommend approval of the Governor's recommendation for a new dual language pilot program in the 2023-2025 biennium, consistent with the Eighty-first Legislative Session intent to limit the number of categorical programs. If the Subcommittees choose this option, they could also consider transferring the General Fund appropriations of \$5.3 million, or \$2.6 million in each year of the 2023-2025 biennium, that was to be provided for the pilot program to the Pupil-Centered Funding Plan account B/A 203-2609 to provide additional funding for the plan.

Fiscal staff requests authority to enter technical adjustments as necessary based on the Subcommittees' recommendation.

Regardless of the Subcommittees' recommendation, it may also wish to consider recommending that the Full Committees issue an LOI directing the NDE and the Commission on School Funding to study during the 2023-2025 biennium whether it would be an allowable use of funds by school districts and charter schools to use English Learner weighted funding to establish and operate dual language programs or determine the legislative changes to do so, and the recommended weight required if a new dual language program weight was to be established. The Nevada Department of Education could report its findings to the IFC by August 1, 2024, for possible consideration as the Executive Budget for the 2025-2027 biennium is developed.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES OPTION C ON PAGE 107 OF [EXHIBIT C](#) FOR B/A 101-2699 TO NOT APPROVE THE GOVERNOR'S RECOMMENDATION FOR A NEW DUAL LANGUAGE PILOT PROGRAM IN THE 2023-2025 BIENNIUM, CONSISTENT WITH THE LEGISLATIVE INTENT OF THE EIGHTY-FIRST LEGISLATURE TO LIMIT THE NUMBER OF CATEGORICAL PROGRAMS; TO APPROVE THE TRANSFER OF GENERAL FUND APPROPRIATIONS OF \$2.6 MILLION IN EACH YEAR OF

THE 2023-2025 BIENNIUM THAT WAS TO BE PROVIDED FOR THE PILOT PROGRAM TO THE PUPIL-CENTERED FUNDING PLAN ACCOUNT B/A 203-2609 TO PROVIDE ADDITIONAL FUNDING FOR THE PLAN; WITH AUTHORITY FOR FISCAL STAFF TO ENTER TECHNICAL ADJUSTMENTS AS NECESSARY BASED ON THE SUBCOMMITTEES' RECOMMENDATION; AND TO APPROVE ISSUING AN LOI DIRECTING THE NDE AND THE COMMISSION ON SCHOOL FUNDING TO STUDY DURING THE 2023-2025 BIENNIUM WHETHER IT WOULD BE AN ALLOWABLE USE OF FUNDS BY SCHOOL DISTRICTS AND CHARTER SCHOOLS TO USE ENGLISH LEARNER WEIGHTED FUNDING TO ESTABLISH AND OPERATE DUAL LANGUAGE PROGRAMS OR DETERMINE THE LEGISLATIVE CHANGES TO DO SO, AND THE RECOMMENDED WEIGHT THAT WOULD BE REQUIRED IF A NEW DUAL LANGUAGE PROGRAM WEIGHT WAS TO BE ESTABLISHED; AND DIRECT THE NDE TO REPORT ITS FINDINGS TO THE IFC BY AUGUST 1, 2024, FOR POSSIBLE CONSIDERATION AS THE EXECUTIVE BUDGET FOR THE 2025-2027 BIENNIUM IS DEVELOPED.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR TITUS:

I will not support this motion. We should support the Governor's recommendation. I feel that dual language programs are successful. I would like to see more in our State. I am worried that by removing this from the categorical funding this money is now subject to collective bargaining and that it will not be used as we intended.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN KASAMA VOTED NO. ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR TITUS VOTED NO. SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

There are three Other Closing Items in B/A 101-2699 on pages 107 and 108 of [Exhibit C](#) regarding back language in the K-12 Funding Bill. Other Closing Item 1 is related to adult education. Other Closing Item 2 is related to the Jobs for Nevada's Graduates program, and Other Closing Item 3 is related to Educational Leadership.

Fiscal staff recommends adding the language outlined in Other Closing Items 1, 2 and 3 to the 2023 K-12 Education Funding Bill for the 2023-2025 biennium and requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED AS SHOWN ON PAGES 107 AND 108 OF [EXHIBIT C](#), TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE ADDING THE LANGUAGE OUTLINED IN OTHER CLOSING ITEMS 1, 2 AND 3 IN B/A 101-2699 TO THE 2023 K-12 EDUCATION FUNDING BILL FOR THE 2023-2025 BIENNIUM TO BALANCE FORWARD UNEXPENDED ADULT EDUCATION FUNDING, AND TRANSFER GENERAL FUND APPROPRIATIONS BETWEEN FISCAL YEARS FUNDING FOR JOBS FOR NEVADA'S GRADUATES PROGRAM AND FOR EDUCATIONAL LEADERSHIP; WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY; AND TO PLACE ADDITIONAL GENERAL FUND APPROPRIATIONS OF \$314,293 IN THE 2023-2025 BIENNIUM FOR THE JOBS FOR NEVADA'S GRADUATE PROGRAM IN RESERVES AND TRANSFERRING FUNDING FROM RESERVES FOR USE BY THE JOBS FOR NEVADA'S GRADUATE PROGRAMS UPON APPROVAL OF THE IFC AND DEMONSTRATION THAT MATCHING FUNDS HAVE BEEN SECURED.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

The next budget for the Subcommittees' consideration is the Teach Nevada Scholarship Program B/A 101-2718, which was previously heard by the Subcommittees on March 24, 2023, and is on pages 109 through 119 of [Exhibit C](#). The Teach Nevada Scholarship Program was established to encourage students to enter the teaching profession to address the long-term plan for recruiting future teachers. Funding in this account may only be used to award grants to universities, colleges and other providers of an alternative licensure program. Money remaining in the account must be carried forward to the next fiscal year.

NDE - Teach Nevada Scholarship Program — Budget Page K-12 EDUCATION-20
(Volume I)
Budget Account 101-2718

Major Closing Issue 1 for B/A 101-2718 is additional funding for the Teach Nevada Scholarship Program and IPT, decision unit E-276.

E-276 Elevating Education — Page K-12 EDUCATION-20

There are two decisions for the Subcommittees related to this item in the closing packet [Exhibit C](#) which are the additional funding for the Teach Nevada Scholarship Program and IPT grant program. The Governor recommends General Fund appropriations of \$20 million over the 2023-2025 biennium to expand the Teach Nevada Scholarship Program and create the IPT grant program which would increase funding for the Teach Nevada Scholarship Program by \$6.4 million and establish the IPT grant program to provide stipends for student teachers of \$13.6 million over the 2023-2025 biennium. The Nevada Department of Education indicates this recommendation would help to address the current educator shortage in the State.

For the Teach Nevada Scholarship Program, the Governor recommends General Fund appropriations of \$3.2 million in each year of the 2023-2025 biennium, as the NDE indicates there have been award periods where the number of grants requested exceeded the available funding. This would provide total expenditure authority of \$9.4 million in FY 2023-2024 and \$9.6 million in FY 2024-2025 for the Program, which includes General Fund

appropriations of \$5.6 million and interest earnings of \$82,442 in each year of the 2023-2025 biennium and balance forward amounts of \$3.7 million in FY 2023-2024 and \$3.9 million in FY 2024-2025. The State's accounting system indicates B/A 101-2718 has available funding of \$12 million, and if not expended during FY 2022-2023, funds would be balanced forward into FY 2023-2024.

In the middle of page 110 of [Exhibit C](#), there is information related to how the Teach Nevada Scholarship Program is administered, including that scholarships may be awarded up to \$3,000 per semester or \$24,000 in total per student for the recipient who completes the teacher preparation program and teaches in Nevada for five consecutive years following graduation.

The Nevada Department of Education provided information regarding the number of current and former scholarship recipients who have completed the program, are currently enrolled in the program and those who have withdrawn from the program. These are identified in the table on page 111 of [Exhibit C](#).

The Nevada Department of Education also included some information related to funding awarded to scholarship recipients that has been expended and funding that was returned from FY 2015-2016 to FY 2022-2023. It should be noted that while the funds may have been awarded in one fiscal year, it could take multiple fiscal years for the awarded funding to be expended. This is outlined in the table at the top of page 112 of [Exhibit C](#).

The State's accounting system indicates B/A 101-2616 has available funding of \$12 million not reflected in the Executive Budget. The Nevada Department of Education processes work programs to balance forward remaining funding at the end of each fiscal year. However, these work programs do not provide a reconciliation of available funding that could be reallocated to other people. It is unclear if the NDE is properly tracking expenditures and awards and reallocating available funding to new scholarship recipients. If not, it is unclear if all available funding has been expended. That may provide justification to not provide additional funding for the program through this enhancement in decision unit E-276 in B/A 101-2718. Funds would not revert to the General Fund and would need to be included in the base budget in future fiscal years.

A discussion of the budget hearing is on page 114 of [Exhibit C](#). The Nevada Department of Education testified that from FY 2015-2016 to FY 2022-2023, 460 students have completed the program, and 759 students are currently receiving scholarships from the Teach Nevada Scholarship Program. Since the program began in FY 2015-2016, scholarship recipients are just now beginning to receive the additional benefits of the program by obtaining the 25 percent tuition reimbursement. The Nevada Department of Education indicates that from FY 2015-2016 to FY 2022-2023 there have been 1,391 scholarships awarded, and 247 applicants from FY 2018-2019 to FY 2022-2023 were turned away due to a lack of available funding.

Following the budget hearing, the NDE indicated it meets with subrecipients at the end of each fiscal year to reconcile the funding awarded. The Nevada Department of Education indicated scholarship recipients are reviewed to determine their status as either completed, enrolled or separated. Should a scholarship recipient complete their program or separate from the program, remaining funds identified for that person are reinvested for future Teach Nevada Scholarship recipients within the Teach Nevada Scholarship category.

The Nevada Department of Education indicates it is unable to determine the amount available for reallocation until the end of a fiscal year, but anticipates there will be 100 completers and no separators this fiscal year.

Fiscal staff would note the reallocation process detailed above is not consistent with how the [Executive Budget](#) reflects additional funding for the Teach Nevada Scholarship Program in the base budget. Fiscal staff would note [A.B. 400](#) has been introduced and would make various changes to the Teach Nevada Scholarship Program. The bill is scheduled to be heard this evening, April 26, 2023, by the Assembly Committee on Ways and Means.

[ASSEMBLY BILL 400](#): Revises various provisions relating to education.
(BDR 34-1088)

The [Executive Budget](#) recommends all of the annual \$3.2 million funding for decision unit E-276 in B/A 101-2718 be placed in the Teach Nevada Scholarship category for scholarship payments, which does not appear to comply with

chapter 391A of NRS. Further, it is unclear how successful this program has been since the recent reconciliation has not been completed and cannot be performed until after the end of the fiscal year. Since funding does not revert to the General Fund at the end of the fiscal year and any enhancements are built into the adjusted based budgets and future fiscal years, the Subcommittees may wish to consider recommending appropriating funding for the enhancement for the Teach Nevada Scholarship Program to the IFC contingency account and directing the NDE to request this funding after completing a thorough reconciliation of this program and presenting that information to the IFC.

The Subcommittees could consider several options as shown on page 115 of [Exhibit C](#) for B/A 101-2718. Option A recommends approval of the Governor's recommendation of General Fund appropriations of \$3.2 million in each year of the 2023-2025 biennium to increase funding for the Teach Nevada Scholarship Program, with funding reflected in the Teach Nevada Scholarship category. This distribution would not be consistent with current requirements in chapter 391A of NRS, and the increased funding would be included in the base budget in future biennia.

Option B recommends approval of the Governor's recommendation of General Fund appropriations of \$3.2 million in each year of the 2023-2025 biennium to increase funding for the Teach Nevada Scholarship Program, but provides Fiscal staff with authority to distribute funding among expenditure categories, consistent with the base budget and requirements in chapter 391A of NRS. Fiscal staff would note this increased funding would be included in the base budget in future biennia.

Option C recommends approval of the Governor's recommendation of General Fund appropriations of \$3.2 million in each year of the 2023-2025 biennium to increase funding for the Teach Nevada Scholarship Program, but appropriates this as restricted funding to the IFC for possible allocation once additional information regarding the success of the program, reconciliation of program funding, and possible legislative changes are considered. If the NDE wishes to continue increased program funding in the 2025-2027 biennium, it could request funding through an enhancement decision unit in which it can demonstrate various successes for the program. If this

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option is considered, Fiscal staff requests authority to include enabling language in the 2023 K-12 Education Funding Bill.

Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES IN B/A 101-2718 DECISION UNIT E-276 OPTION C TO APPROVE THE GOVERNOR'S RECOMMENDATION OF GENERAL FUND APPROPRIATIONS OF \$3.2 MILLION IN EACH YEAR OF THE 2023-2025 BIENNIUM TO INCREASE FUNDING FOR THE TEACH NEVADA SCHOLARSHIP PROGRAM, APPROPRIATING FUNDS AS RESTRICTED FUNDING TO THE IFC FOR POSSIBLE ALLOCATION ONCE ADDITIONAL INFORMATION REGARDING THE SUCCESS OF THE PROGRAM, RECONCILIATION OF PROGRAM FUNDING AND POSSIBLE LEGISLATIVE CHANGES ARE CONSIDERED; DIRECT THE NDE, SHOULD IT WISH TO CONTINUE THIS INCREASED PROGRAM FUNDING IN THE 2025-2027 BIENNIUM, TO REQUEST FUNDING THROUGH AN ENHANCEMENT DECISION UNIT TO DEMONSTRATE VARIOUS SUCCESSES FOR THE PROGRAM; RECOMMEND FISCAL STAFF INCLUDE ENABLING LANGUAGE IN THE 2023 K-12 EDUCATION FUNDING BILL; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN O'NEILL WAS EXCUSED FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

On page 112 of [Exhibit C](#) regarding the portion of this enhancement related to the IPT grant program, the Governor recommends General Fund appropriations of \$6.8 million in each year of the 2023-2025 biennium to establish the

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State IPT grant program to provide student teacher stipends within the Teach Nevada Scholarship Program B/A 101-2718.

The legislatively approved NDE COVID-19 Funding B/A 101-2710 authorized federal funding of \$20.7 million over the 2021-2023 biennium for the IPT grant program. During the 2021-2023 biennium, the program provided stipends for college students completing their student teaching of \$700 per week for up to 12 weeks and tuition assistance of up to \$250 per credit for up to eight credits. The Nevada Department of Education indicates the average amount of funding awarded was \$2,000 for tuition assistance and \$8,400 in stipends for each student.

The Nevada Department of Education indicates the IPT grant program would be administered through a similar application and award structure as currently used for the Teach Nevada Scholarship Program. It would be available to both undergraduate and graduate students obtaining their initial licensure.

Current funding for the IPT grant program supports one contract position equivalent to an education programs professional position to manage the program. The contract position is scheduled to expire in September 2023. The Executive Budget did not include an ongoing position to manage the program following the expiration of the contract position.

Funding in B/A 101-2718 does not revert to the General Fund at the end of a fiscal year or biennium. However, if the Subcommittees recommend approval of this enhancement, the Subcommittees could also consider recommending back language in the 2023 K-12 Education Funding Bill to allow any remaining funding from this new program to revert to the General Fund at the end of the 2023-2025 biennium.

During the budget hearing, the NDE testified that of the \$20.7 million in federal funding approved in the NDE COVID-19 Funding budget B/A 101-2710 for the IPT grant program in the 2021-2023 biennium, approximately \$1.5 million may not be expended by the September 30, 2023, expiration date. The Nevada Department of Education indicated these funds would be reallocated for other projects.

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The Nevada Department of Education provided information indicating the Nevada System of Higher Education estimates up to 1,004 students may qualify for the IPT stipend awards in FY 2023-2024 and estimates up to 1,110 may qualify for the IPT tuition assistance awards in FY 2023-2024.

Following the budget hearing, the NDE indicated existing staff who administer the Teach Nevada Scholarship Program would be able to assume the administration of the IPT grant program.

Prior to the budget hearing, the NDE indicated statutory changes to NRS chapter 391A would be needed to carry out the IPT grant program. During the budget hearing the NDE indicated statutory changes were not needed to carry out the program. Following the budget hearing, the NDE conducted additional research. It now indicates statutory changes are needed and provided some draft language that would create the IPT Account. It would not place this program in the Teach Nevada Scholarship Account B/A 101-2718 as initially indicated.

The Nevada Department of Education has not submitted a bill to effectuate the changes as outlined in the draft language. The draft language provided by the Department is outlined on pages 116 and 117 of [Exhibit C](#) and lists parameters requested for the awarding of funding for this program. It includes: language to provide the State Board of Education shall establish the number of IPT tuition assistance awards and stipends available each year based upon the amount of money available in the account; students who are enrolled in their final three semesters of an approved traditional pathway university or college teacher preparation program may apply for tuition assistance; and students enrolled in their final student teaching clinical field experience of an approved traditional pathway university or college teacher preparation program may apply for a student teaching stipend.

The Nevada Department of Education has not submitted a bill to effectuate the changes as outlined in the draft language provided in [Exhibit C](#). If the Subcommittees recommend approval of the IPT grant program, they may also recommend the Full Committees request a bill draft to amend the NRS.

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The Teach Nevada Scholarship Program B/A 101-2718 is a nonreverting account that earns interest, which is appropriate given the long-term financial commitment associated with those scholarships. However, the IPT grant program does not necessarily require the creation of a new, nonreverting account that earns interest since it would appear to provide funding for a shorter time period.

If the Subcommittees recommend approval of this program, they may also consider recommending funds revert at the end of the 2023-2025 biennium through language included in the 2023 K-12 Education Funding Bill or the program be transferred and housed within a reverting budget that does not earn interest, such as the Other State Education Programs B/A 101-2699.

Given this would be a new State-funded program, the Subcommittees may wish to consider directing the Department to remove this program from the adjusted base budget when preparing its budget for the 2025-2027 biennium.

Do the Subcommittees wish to recommend approval of the Governor's recommendation of General Fund appropriations of \$6.8 million in each year of the 2023-2025 biennium decision unit E-276, B/A 101-2718 to establish a new IPT grant program?

If the Subcommittees choose to recommend approval of the Governor's recommendation to establish a new IPT grant program, they may wish to consider including several options shown on page 118 of [Exhibit C](#).

Option 1 recommends the Full Committees request a bill draft to amend NRS to incorporate revisions to allow for the IPT grant program as outlined on pages 116 to 118 of [Exhibit C](#).

Option 2 recommends any funding remaining at the end of the 2023-2025 biennium would revert to the General Fund through language included in the 2023 K-12 Education Funding Bill.

Option 3 recommends the program be transferred and housed within the NDE Other State Education Programs B/A 101-2699, a reverting budget that does not earn interest.

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Option 4 recommends directing the NDE to remove the program from the adjusted base budget when preparing its budget for the 2025-2027 biennium and request the program continue through an enhancement decision unit if the NDE wishes the program to continue.

Fiscal staff requests authority to enter technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE GOVERNOR'S RECOMMENDATION OF GENERAL FUND APPROPRIATIONS OF \$6.8 MILLION IN EACH YEAR OF THE 2023-2025 BIENNIUM TO ESTABLISH A NEW IPT GRANT PROGRAM IN B/A 101-2718 DECISION UNIT E-276; AND APPROVE OPTIONS 1 THROUGH 4 ON PAGE 118 OF [EXHIBIT C](#) REQUESTING A BILL DRAFT TO AMEND NRS TO INCORPORATE REVISIONS TO ALLOW FOR THE IPT GRANT PROGRAM; DIRECT ANY FUNDING REMAINING AT THE END OF THE 2023-2025 BIENNIUM TO REVERT TO THE GENERAL FUND AS DETAILED IN LANGUAGE INCLUDED BY FISCAL STAFF IN THE 2023 K-12 EDUCATION FUNDING BILL; TRANSFER AND HOUSE THE PROGRAM WITHIN THE NDE OTHER STATE EDUCATION PROGRAMS B/A 101-2699, A REVERTING BUDGET THAT DOES NOT EARN INTEREST; AND DIRECT THE NDE TO REMOVE THE PROGRAM FROM THE ADJUSTED BASE BUDGET WHEN PREPARING ITS BUDGET FOR THE 2025-2027 BIENNIUM AND REQUEST THE PROGRAM CONTINUE THROUGH AN ENHANCEMENT DECISION UNIT IF THE DEPARTMENT WISHES THE PROGRAM TO CONTINUE; WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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Ms. RYAN:

The final budget for the Subcommittees' consideration is the 1/5 Retirement Credit Purchase Program B/A 101-2616 on pages 121 and 122 which has not previously been heard by the Subcommittees and for which Fiscal staff is responsible for developing closing recommendations.

NDE - 1/5 Retirement Credit Purchase Program — Budget Page K-12
EDUCATION-22 (Volume I)
Budget Account 101-2616

Prior to July 1, 2007, NRS required the purchase of 1/5 year of retirement service credit for teachers in at-risk schools, psychologists, and teachers in the fields of mathematics, science, special education and English as a second language.

During the Seventy-seventh Legislative Session, funding was not continued for the program of incentive pay for licensed educational personnel beginning in the 2013-2015 biennium, but the 1/5 Retirement Credit Purchase Program will continue to be funded until all eligible participants as of July 1, 2007, have earned one full year of retirement service credit.

There are no Major Closing Issues in this budget. Other Closing Item 1 is for back language in the K-12 Education Funding Bill.

Fiscal staff recommends this budget be closed as recommended by the Governor with authority for Fiscal staff to include language in the 2023 K-12 Education Funding Bill to allow General Fund appropriation transfers with IFC approval between fiscal years of the 2023-2025 biennium for the purchase of retirement service credits.

Fiscal staff requests authority to make technical adjustments as necessary.

ASSEMBLYWOMAN BACKUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE OTHER CLOSING ITEM 1 IN B/A 101-2616 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR FISCAL STAFF TO INCLUDE LANGUAGE IN THE 2023 K-12 EDUCATION FUNDING BILL TO ALLOW GENERAL FUND

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APPROPRIATION TRANSFERS, WITH IFC APPROVAL, BETWEEN FISCAL YEARS OF THE 2023-2025 BIENNIUM FOR THE PURCHASE OF RETIREMENT SERVICE CREDITS; WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR CANNIZZARO SECONDED THE MOTION.
ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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CHRIS DALY (Nevada State Education Association):

This week, the National Education Association (NEA) released its annual ranking of the states for 2022 and Nevada unfortunately continued to struggle at \$11,280 per-pupil last year. Nevada once again ranks 48th in the Country; more than \$5,000 behind the national average and about \$1,000 behind Alabama and Mississippi.

In this room two years ago, legislative leaders lauded historic funding provided to public schools. Unfortunately this funding only resulted in maintaining Nevada's position near the bottom of the list. This Session, we have again heard about historic funding efforts. However, we have also heard from the Commission on School Funding that has testified here that most of the additional proposed funding will go towards increasing costs due to inflation. If serious additional efforts are not made this Session to boost education funding, we will be right back here two years from now with a new report from the NEA showing Nevada still ranking in the mid-to high-forties.

The Nevada State Education Association (NSEA) has often discussed the crisis of educator vacancies in Nevada schools. From FY 2021-2022, the total number of teachers in Nevada declined by nearly 1,200 or about 5 percent of the workforce. The NSEA is projecting Nevada will lose about 2,000 more teachers this year; a net 10 percent reduction, by far the largest anywhere in the Country. That is why we say it is Time for 20; a 20 percent raise for every Nevada educator so we can stop the bleeding of our workforce.

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We know Nevada has a serious vacancy problem in education support professionals (ESP), including paraprofessionals who are integral to student learning and bus drivers who are responsible for getting students to and from school. The average Nevada ESP earns \$37,000 a year, nearly \$20,000 less than what is needed for a family of two to have a modest standard of living. That is why we say it is Time for 20; starting pay of \$20 an hour for workers who make our schools run.

Nevada once again ranks first in the Nation in class size, with nearly 22 students in average daily attendance per teacher. Nevada's largest in the Nation class sizes do not just impact student learning. There are serious working condition issues for classroom educators, and it also contributes to issues of student behavior and school safety. There is no way to effectively implement restorative justice when you have 40 or more kids in a classroom. That is why we say it is Time for 20; with class sizes of 20 students. It is a rainy day in Nevada. That is why it is irresponsible to continue underfunding education while you have \$2.4 billion slated for reserves. We encourage you to move forward towards optimal funding, not just running in place, so we can ensure high quality education for every Nevada student.

JESSICA FERNAINY:

I am a teacher in Washoe County School District (WCSD), have a master of arts in education, and this is my sixth year teaching. I am making public comment here today because my special education students need more funding to receive the resources they need to find success. Nevada has a critical staffing crisis, particularly in special education. The amount of higher education, time spent working outside contract hours, large caseloads and time spent dealing with dangerous students is extraordinary for the meager salary given. Starting pay for a teacher in WCSD is \$41,000 with a bachelor's degree. A living wage in Nevada is \$56,000 according to NEA analysts.

I am calling on the Legislature to support educators and students by using rainy day funds to get us out of the safety, staffing, and salary calamity we are presently in. With the Governor's budget, we are still 30 percent below what is considered adequate. We must be vehemently aggressive with spending now or public education in Nevada will gridlock. Increasing salaries is the only way we will retain and bring back educators to the profession.

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Eric Hanushek of Stanford University states, "The cognitive skills of the population rather than mere school attainment are powerfully related to long-run economic growth." Nevada is 48th in per-pupil spending and 46th via literacy rate rank. Education sets the foundation for the future economic success of a community. Where Nevada stands now, it has no chance of creating a population with the cognitive capacity needed to create resilience to future recession.

BRENT BUSBOOM (Washoe Education Association):

I teach at Reno High School. I would like to tell you about two teachers, both at very different stages of their career. The first is Anita, my current student teacher. She is smart, bilingual, and has a great work ethic. She could be a superstar, but she has not applied for any teaching positions next year. Having looked at the state of education in Nevada she has, in her own words, decided to wait to see what lawmakers will do. Instead of teaching she will be taking more classes in the fall. The second teacher teaches next door to me her name is Marie, and she is Nationally Board Certified. She is a national reader for the AP English exam. She is smart, she is compassionate and her classroom is filled with the joy of learning. She is considering retiring soon.

What will it take, to get teachers like Anita into the classroom and keep teachers like Marie there? One thing is student behavior, where there appears to be bipartisan support. The other is salaries, where the proposed budget falls far too short. Like most teachers I know, Anita and Marie are not looking at the proposed education budget with a sense of gratitude. If anything, they are feeling distressed. They are feeling distressed when the proposed budget might increase salaries by 10 percent, but the Reno Gazette Journal just ran an article saying Nevada energy rates have increased 50 percent over the last two years, furniture and food are up almost 20 percent, and new cars over 20 percent. While home prices have come down from historic highs, mortgage rates have increased and added hundreds of dollars, if not over \$1,000 to monthly payments. They are also feeling distressed when lawmakers are proposing rainy day funds filled with almost \$2.5 billion will not be used to fund teachers' salaries that just keep pace with inflation.

What all of you do here, what all of you do at this Legislative Session will go a long way in determining what the Anitas and the Maries determine they

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should do. Should they continue teaching or should they do something else? If you want them to stay, if you do not want Nevada classrooms to continue to be short thousands of educators, funding needs to be high enough to keep pace with inflation, and that means at least a 20 percent increase. This is especially true if you want to keep veteran teachers who are nearing retirement. Whatever policies or proposals you have this Legislative Session, none of them will work if you do not have the Anitas and Maries in the classroom. This is your chance to convince them to stay. I hope you do not blow it.

LEA CASE (Boys Town Nevada; Children's Advocacy Alliance):

Boys Town Nevada operates in 60 CCSD schools and will be in 85 schools by the end of the 2023-2024 academic year. The primary focus is on student behavior and increasing teacher capacity to manage challenging classroom behaviors. Boys Town Nevada has a well-managed school curriculum, it is evidence-based and ESSA approved. It has shown to decrease office referrals by over 50 percent and increased teacher job satisfaction.

At the beginning of the Legislative Session, we spoke with Boys Town Nevada and asked about the capacity to expand Statewide. We have all heard about the staffing shortages across our State and nationwide. Boys Town Nevada has recently had conversations with its national office in Omaha, Nebraska about filling that need here in Nevada. Should this Legislative body decide to move forward with any additional funding for these sorts of school support services, there will be capacity from this nationally recognized organization to come support Boys Town Nevada. There is a letter submitted on the Legislative website ([Exhibit J](#)) to that effect with the contact information for John Etzell, Boys Town Nevada executive director.

Secondly, I would like to speak a little bit on behalf of the Children's Advocacy Alliance related to B/A 101-2709 and highlight a few statistics on high quality early education and childhood programs. Statewide, Nevada Ready! Pre-K currently serves 8 percent of eligible children; Head Start serves 7.9 percent of eligible children; Early Head Start serves 2 percent of eligible children and our home visiting programs serve 320 families; that is less than 1 percent of all eligible births. There is still work to be done in our early childhood education programming that we can address together and soon.

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CHAIR DONDERO LOOP:
Seeing no further public comment, we are adjourned at 12:28 p.m.

RESPECTFULLY SUBMITTED:

Marie Bell,
Committee Secretary

APPROVED BY:

Senator Marilyn Dondero Loop, Chair

DATE: _____

Assemblywoman Shea Backus, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
	C	3		Lilliana Camacho-Polkow, Legislative Counsel Bureau 4-26-23 K-12 Closing Packet Closing list #4
	D	33		Lilliana Camacho-Polkow, Legislative Counsel Bureau Budget Amendment No. A231252712
	E	34		Lilliana Camacho-Polkow, Legislative Counsel Bureau Budget Amendment No. A231262715
	F	54		Lilliana Camacho-Polkow, Legislative Counsel Bureau Budget Amendment No. A233132705
	G	91		Madison Ryan, Legislative Counsel Bureau Budget Amendment No. A232392721
	H	96		Madison Ryan, Legislative Counsel Bureau Budget Amendment No. A232372721

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	I	102		Madison Ryan, Legislative Counsel Bureau Budget Amendment No. A232542699
	J	120		Lea Case, Boys Town Nevada, Letter John Etzell Boys Town Nevada