
SENATE BILL NO. 432—COMMITTEE ON FINANCE

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 23, 2015

Referred to Committee on Education

SUMMARY—Makes an appropriation to be distributed to certain public schools designated as Victory schools. (BDR S-1187)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation included in Executive Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; making an appropriation for Fiscal Years 2015-2016 and 2016-2017 for distribution to public schools designated as Victory schools because they have high numbers of pupils living in poverty and performing low academically; requiring an assessment of the needs of the pupils at such schools; requiring Victory schools to use the money received to offer certain programs and services; authorizing the Department of Education to withhold money if a Victory school demonstrates unsatisfactory pupil achievement and school performance; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill appropriates money for Fiscal Years 2015-2016 and 2016-2017 for
2 distribution to schools that have high numbers of pupils living in poverty and
3 perform low academically, which are designated as Victory schools. This bill
4 requires each school district in which a Victory school is designated and the
5 governing body of each charter school that is designated as a Victory school to
6 conduct an assessment of the needs of pupils at such schools and submit a
7 comprehensive plan for meeting those needs. A Victory school is required to use
8 the money distributed to the school to provide certain programs and services.
9 Existing law requires the principal of each school to prepare a plan to improve
10 the achievement of the pupils enrolled in the school and submit the plan to various
11 entities, including the Superintendent of Public Instruction and the Department of
12 Education. (NRS 385.357) This bill requires the principal of a Victory school to



13 include in such a plan a description of how the money distributed to the school is
14 being used to meet the needs of the pupils at the school. This bill also requires the
15 board of trustees of each school district in which a Victory school is designated and
16 the governing body of each charter school which is designated as a Victory school
17 to submit a report concerning the programs and services provided using the money
18 distributed to the school.

19 This bill requires the Department to contract with an independent auditor to
20 evaluate the effectiveness of programs and services provided pursuant to this bill
21 and authorizes the Department to require a Victory school that demonstrates
22 unsatisfactory pupil achievement and school performance to take corrective action
23 and to withhold money if unsatisfactory pupil achievement and school performance
24 continues.

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

1 **Section 1.** The Legislature finds and declares that:

2 1. It is the public policy of this State to provide each pupil
3 enrolled in a public school with high-quality instruction.

4 2. Pupils who live in poverty benefit from attending a school
5 that has a sustained focus on improving pupil achievement using
6 methods that take into account a variety of factors that influence
7 pupil achievement.

8 3. Pupils who live in poverty should be provided with services
9 and instruction that is designed to address the needs of such pupils
10 so that each such pupil:

11 (a) Reads at or above the level of the average pupil in third
12 grade before the pupil completes third grade;

13 (b) Is prepared to engage in a rigorous high school curriculum
14 upon completion of eighth grade; and

15 (c) Graduates from high school with the skills and attributes
16 necessary to immediately succeed in college or a career.

17 4. The cost of providing additional services to pupils who live
18 in poverty will continue to be studied with the purpose of updating
19 the formula for funding schools as necessary.

20 **Sec. 2.** 1. There is hereby appropriated from the State
21 General Fund to the Account for Programs for Innovation and the
22 Prevention of Remediation created by NRS 387.031 the following
23 sums:

24 For the Fiscal Year 2015-2016..... \$25,000,000

25 For the Fiscal Year 2016-2017..... \$25,000,000

26 2. The Department of Education shall designate a public school
27 as a Victory school if, relative to other public schools, including
28 charter schools, that are located in the school district in which the
29 school is also located:



1 (a) A high percentage of pupils enrolled in the school live in
2 households that have household incomes that are less than the
3 federally designated level signifying poverty, based on the most
4 recent data compiled by the Bureau of the Census of the United
5 States Department of Commerce; and

6 (b) The school has a low rating in pupil achievement and school
7 performance, based on the statewide system of accountability for
8 public schools.

9 3. The Department shall designate each Victory school for the
10 2015-2016 Fiscal Year on or before June 1, 2015.

11 4. The Department shall transfer money from the Account for
12 Programs for Innovation and the Prevention of Remediation to each
13 school district in which a Victory school is designated based on the
14 total number of pupils who are enrolled in a Victory school in the
15 district and to the governing body of each charter school that is
16 designated as a Victory school based on the number of pupils
17 enrolled at the school. The board of trustees of each school district
18 to which money is transferred shall distribute such money to each
19 Victory school in the district.

20 5. The board of trustees of each school district in which a
21 Victory school is located and the governing body of each charter
22 school that is designated as a Victory school shall, as soon as
23 practicable after the school is designated as a Victory school,
24 conduct an assessment of the needs of pupils that attend the school.
25 The assessment must include soliciting input from the community
26 served by the Victory school and identify any barriers to improving
27 pupil achievement and school performance and strategies to meet
28 the needs of pupils at the school.

29 6. On or before August 15, 2015, the board of trustees of each
30 school district in which a Victory school is designated for the 2015-
31 2016 Fiscal Year and the governing body of each charter school that
32 is designated as a Victory school for the 2015-2016 Fiscal Year
33 shall submit to the Department a comprehensive plan for meeting
34 the educational needs of pupils enrolled in each Victory school. The
35 plan must:

36 (a) Include appropriate means to determine the effectiveness of
37 the plan;

38 (b) Be based on the assessment of the needs of the pupils who
39 attend the school conducted pursuant to subsection 5;

40 (c) Provide means by which the school district or governing
41 body will collaborate with the community to offer programs and
42 services without charge to persons within the region in which the
43 school is located;

44 (d) Take into account the number and types of pupils who attend
45 the school and the locations where such pupils reside;



1 (e) Coordinate existing or planned engagement of other persons
2 who provide services in the region in which the school is located;

3 (f) Consider and coordinate all funding available to each school
4 that is subject to the plan; and

5 (g) Identify, for each school or group of schools subject to the
6 plan, which of the measures described in subsection 8 will be
7 implemented.

8 7. The Department shall review each plan submitted pursuant
9 to subsection 6 to determine whether, or the extent to which, the
10 plan complies with the requirements of this section and either
11 approve or request revisions to the plan.

12 8. A Victory school may use money transferred pursuant to
13 subsection 4 to:

14 (a) Provide a prekindergarten program free of charge, if such a
15 program is not paid for by another grant;

16 (b) Expand full-day kindergarten classes, if such classes have
17 not otherwise been paid for through legislative appropriation;

18 (c) Provide a summer academy or other instruction for pupils
19 free of charge at times during the year when school is not in session;

20 (d) Provide additional instruction or other learning opportunities
21 free of charge at times of day when school is not in session;

22 (e) Provide professional development for teachers and other
23 educational personnel concerning instructional practices and
24 strategies that have proven to be an effective means to increase pupil
25 achievement in populations of pupils similar to those served by the
26 school;

27 (f) Provide programs to recruit and retain highly effective
28 teachers and other educational personnel;

29 (g) Provide evidence-based social, psychological or health care
30 services to pupils and their families, including, without limitation,
31 wrap-around services;

32 (h) Provide programs and services designed to engage parents
33 and families;

34 (i) Provide programs to improve school climate and culture; and

35 (j) Provide evidence-based programs and services specifically
36 designed to meet the needs of pupils who attend the school, as
37 determined using the assessment conducted pursuant to
38 subsection 5.

39 9. Any programs offered at a Victory school pursuant to
40 subsection 8 must:

41 (a) Be designed to meet the needs of pupils at the school, as
42 determined using the assessment conducted pursuant to subsection 5
43 and to improve pupil achievement and school performance, as
44 determined using the measures prescribed by the State Board of
45 Education; and



1 (b) Be based on scientific research concerning effective
2 practices to increase the achievement of pupils who live in poverty.

3 10. Each plan to improve the achievement of pupils enrolled in
4 a Victory school that is prepared by the principal of the school
5 pursuant to NRS 385.357 must describe how the school will use the
6 money transferred pursuant to subsection 4 to meet the needs of
7 pupils who attend the school, as determined using the assessment
8 described in subsection 5 and the requirements of this section.

9 11. The Department shall use money appropriated pursuant to
10 subsection 1 to contract with an independent auditor to evaluate the
11 effectiveness of programs and services provided pursuant to this
12 section. The evaluation must include, without limitation,
13 consideration of the achievement of pupils who have participated in
14 such programs and received such services.

15 12. The Department shall require a Victory school to take
16 corrective action if pupil achievement and school performance at the
17 school are unsatisfactory, as determined by the Department. If
18 unsatisfactory pupil achievement and school performance continue,
19 the Department may withhold any additional money that would
20 otherwise be distributed pursuant to this section.

21 13. On or before November 30, 2016, and November 30, 2017,
22 the board of trustees of each school district in which a Victory
23 school is designated and the governing body of each charter school
24 that is designated as a Victory school shall submit to the Department
25 a report, which must include, without limitation:

26 (a) An identification of schools to which money was distributed
27 pursuant to subsection 4 for the previous fiscal year;

28 (b) The amount of money distributed to each such school;

29 (c) A description of the programs or services for which the
30 money was used;

31 (d) The number of pupils who participated in such programs or
32 received such services;

33 (e) The average expenditure per pupil for each program or
34 service that was funded; and

35 (f) Recommendations concerning the manner in which the
36 average expenditure per pupil reported pursuant to paragraph (e)
37 may be used to determine formulas for allocating money from the
38 State Distributive School Account in the State General Fund.

39 14. The sums appropriated by subsection 1:

40 (a) Must be accounted for separately from any other money
41 received by school districts and governing bodies of charter schools
42 and used only for the purposes specified in this section;

43 (b) May not be used to settle or arbitrate disputes between a
44 recognized organization representing employees of a school district



1 or the governing body of a charter school and the school district or
2 governing body or to settle any negotiations; and

3 (c) May not be used to adjust the district-wide schedules of
4 salaries and benefits of the employees of a school district.

5 15. Upon request of the Legislative Commission, the board of
6 trustees of any school district and the governing body of any charter
7 school to which money is transferred pursuant to subsection 4 shall
8 make available to the Legislative Auditor any of the books,
9 accounts, claims, reports, vouchers or other records of information,
10 confidential or otherwise, regardless of their form or location, that
11 the Legislative Auditor deems necessary to conduct an audit of the
12 use of such money.

13 16. Any remaining balance of the transfers made pursuant to
14 subsection 4 for Fiscal Year 2015-2016 must be added to the money
15 transferred for Fiscal Year 2016-2017 and may be expended as that
16 money is expended. Any remaining balance of the transfers made
17 pursuant to subsection 4 for Fiscal Year 2016-2017, including any
18 money added from the previous fiscal year, must not be committed
19 for expenditure after June 30, 2017, and must be reverted to the
20 State General Fund on or before September 15, 2017.

21 17. Any remaining balance of the appropriation made by
22 subsection 1 must not be committed for expenditure after June 30,
23 2017, by the entity to which the appropriation is made or any entity
24 to which money from the appropriation is granted or otherwise
25 transferred in any manner, and any portion of the appropriated
26 money remaining must not be spent for any purpose after
27 September 15, 2017, by either the entity to which the money was
28 appropriated or the entity to which the money was subsequently
29 granted or transferred, and must be reverted to the State General
30 Fund on or before September 15, 2017.

31 18. As used in this section:

32 (a) "Community" includes any person or governmental entity
33 who resides or has a significant presence in the geographic area in
34 which a school is located or who interacts with pupils and personnel
35 at a school, and may include, without limitation, parents, businesses,
36 nonprofit organizations, faith-based organizations, community
37 groups, teachers, administrators and governmental entities.

38 (b) "Victory school" means a school that is so designated by the
39 Department pursuant to subsection 2.

40 (c) "Wrap-around services" means supplemental services
41 provided to a pupil with special needs or the family of such a pupil
42 that are not otherwise covered by any federal or state program of
43 assistance.



1 **Sec. 3.** This act becomes effective on July 1, 2015.

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