

# Legislative Update

## CLARK COUNTY SCHOOL DISTRICT

### Tuesday, June 2, 2015

The end of session days were filled with discussion on the Governor's tax plan and budgets funded by the additional revenue that the plan requires. Passing the tax plan was a heavy lift in the Assembly. The Governor, his staff, legislators, and lobbyists worked for months to garner enough support for the 2/3-majority vote required, but the activity and stress increased as the 120-day deadline approached. The revenue bill (SB483) finally passed the Assembly late Sunday with a 30-10 vote (2 members were excused) after nearly two hours of floor speeches. Members of the body and the many onlookers from the Assembly gallery gave rare applause when the vote on SB483 was final. The bill then moved to the Senate where it received a vote of 18-3 on the last day of the 78<sup>th</sup> Legislative Session.

With the tax package finalized, the Legislature moved forward with processing the budget bills in the final hours of the session. SB515 was approved, providing funds for the K-12 education budget including the DSA (per pupil) allocations to school districts and categorical funding for the new programs discussed throughout the session. The Appropriations Act, SB514, was also approved, which funds the state government over the biennium, including the Nevada Department of Education budget.

The final night of any legislative session is filled with excitement and angst as bills either pass and go to the Governor for signature or fail upon sine die. This session was no different and perhaps even more chaotic as legislative leaders in one house struggled to keep their members in order as time kept ticking away. Meanwhile, members in the other house went in and out of session as they waited on bills to come to them for a vote. "*Hurry up and wait!*" describes the night perfectly as last minute changes caused some people to rush through the halls as others sat in the chamber and waited for their bills to come up. As in every session, the night ended with winners and losers, but at the end of the day the Clark County School District ended up with many things in the first category and a few in the second.

## Sine Die Report

[sahy-nee dahy-ee, sin-ey-dee-ey; Latin si-ne dee-e]  
adverb

1. without fixing a day for future action or meeting: *The assembly adjourned sine die.*

Although it will be several weeks before we are able to provide a detailed, final report related to everything that happened during the 78th session of the Nevada State Legislature, below are listed the top "staff picks" for the most interesting and/or relevant bills for education junkies. The Board Work Session, originally scheduled for Wednesday, June 3, has been postponed. We will present our final legislative report to the Board when the Work Session is rescheduled. It will be sometime after June 12, following CCSD's final graduation ceremony for this year's senior class. And honestly, isn't it great to schedule everything around graduation ceremonies, which celebrate the culmination of everything we work toward? Congratulations to the Class of 2015!

## CCSD TOP PRIORITIES

Before heading into the session, CCSD identifies its top legislative priorities. Here's how we did:

- ✓ Revised Funding Formula (SB508)
- ✓ Expansion of Full-day Kindergarten (SB515)
- ✓ Expansion of Zoom Schools (SB405)
  - Education Stabilization Fund
- ✓ School Construction (SB207)

### CCSD Bill Drafts

- ✓ SB75: CCSD Minimum testing days
- AB55: Teacher Licensure

## MAJOR BILLS IMPACTING EDUCATION

This list includes major initiatives that create changes in policy, provide new or increase funding, and generated the most questions and interest from our readers. Not all of these bills passed, and this list is certainly not complete when you think of the 274 bills on our tracking list, but if you have a question about how a bill turned out, you can skim through this list; it's organized in numerical order for that purpose. **DISCLAIMER:** These summaries are based on our knowledge of the bill at the time of passage and have not yet been thoroughly vetted to ensure they are consistent with the actual language of the enrolled bills.

- AB55: Teacher Licensure – WITHDRAWN.** The district's bill to create a temporary permit while teachers moving to Nevada take the necessary exams to become fully licensed was withdrawn due to conflicts with the No Child Left Behind provisions included in the Nevada Revised Statutes.
- AB117: School Bus Bill – FAILED.** This bill would have allowed the school district to rent school buses to private entities attending events such as the Electric Daisy Carnival or NASCAR.
- AB120: Religious Rights of Students – ENROLLED.** –This bill requires schools to not infringe on any religious activity or speech as long as it is not considered disruptive or is used to bully another student. Additionally, the bill requires school districts to create a grievance procedure students and parents may use if they feel their religious rights have been denied.
- AB165: Opportunity Scholarship – ENROLLED.** One of the early wins for the Governor's office and a part of his education reform package for a New Nevada, this bill allows business to earn tax credits by making donations to a scholarship fund for children living in poverty. Families may apply to use funds to assist with private school tuition.
- AB166: Bi-literacy Diploma – ENROLLED.** This bill allows high school graduates to earn a bi-literacy seal on their diploma after meeting specific, strenuous requirements demonstrating proficiency in a second language.
- AB172: Prevailing Wage – ENROLLED.** This bill revises how prevailing wage is determined. Additionally, the bill repealed SB119, which exempted school districts from paying prevailing wage. Instead, the Labor Commission will now set the prevailing wage on school projects at 90% of the prevailing wage on other public works.
- AB178: School Discipline – ENROLLED.** AB178 makes changes to the requirements for determining when a student is considered a habitual disciplinary problem and provides additional incentive for students to enter into a discipline plan.
- AB218: School Emergencies – FAILED.** This bill would have required the board of trustees of each school district to hire an emergency manager and consult with them before constructing, expanding or remodeling buildings for schools.
- AB221: Data Privacy – ENROLLED.** Requires school districts to develop and post online a data dictionary of student information collected and entered in the statewide system. The bill also requires the district to develop a policy regarding the use of third-party applications.
- AB234: Cultural Competency – Enrolled.** Requires all teachers to complete a course on cultural competency prior to relicensing.
- AB303: Repeal Common Core State Standards – FAILED.** Similar to SB290, this bill intended to replace the Common Core State Standards and returning to former standards. The bill would also have required the Board to proscribe a different examination.
- AB339: Appointed School Boards – FAILED.** This bill would have revised the election process for school board trustees, including appointee all or some members.
- AB375: The "Bathroom Bill" – FAILED.** This bill would have required a public school to provide separate, private areas designated for use by pupils based on their biological sex for any school facility where pupils may be in a state of undress in the presence of other pupils, including bathrooms and locker rooms.
- AB394: Study to Deconsolidate CCSD – Enrolled.** This bill forms a committee to create a deconsolidation plan and present it to the State Board of Education for regulations and implementation no later than the 2017-18 school year.
- AB421: SAGE Commission – SIGNED.** This bill creates the Spending and Government Efficiency Commission for K-12 public education. The Commission is required to make recommendations to the

Governor identifying: (1) areas in which the public costs of public education may be reduced; (2) areas in which increased efficiencies in public education may be found; and (3) any means by which public education may be improved.

- AB447: NEPF – Enrolled.** Delays the use of student outcome data in the Nevada Educator Performance Framework (NEPF) to 2016-17 and decreases the number of evaluations required for probationary teachers to one, rather than three.
- AB448: Achievement School District – Enrolled.** Creates a school district comprised of charter schools that will operate in persistently underachieving schools. Under the auspices of the Nevada Department of Education, the schools will be selected by the ASD Executive Director and will operate, rent-free, in district buildings.
- AB483: Pay for Performance in At-Risk Schools – Enrolled.** Requires school districts to set aside not less than 5% of their DSA to use for salaries of teachers who participate in a pay for performance program in at-risk schools.
- SB75: Minimum Days of Instruction Before Testing – Signed by the Governor.** The districts' bill to ensure every student has a minimum number of school days to prepare for standardized tests. What started out as a simple bill with unanimous support, ended up as a target for people who oppose the Common Core Standards and the SBAC exams as they sought an opt-out of testing provision. They attempted to include an amendment before the vote in the Senate and again in committee and on the floor of the Assembly. The bill passed both houses without the amendment.
- SB77: Turnaround Schools – FAILED.** Although this bill was not processed, its vital elements are found in SB92, which is enrolled.
- SB92: Turnaround Schools, Reduction in Force, and Teacher Transfers – ENROLLED.** This bill covers a variety of topics, including certain provisions relating to schools designated as a “Turnaround School” by the Nevada Department of Education; provisions related to the practice of “Last In, First Out (LIFO);” and the requirement for “mutual consent” when transferring underperforming teachers.
- SB119: School Construction with Prevailing Wage – SIGNED, then REPEALED.** The first of two bills (see also SB207) that were passed in the early days of the session, authorizing school districts to issue general obligation bonds for school construction. The bill also eliminated the requirement for districts to pay prevailing wage on these projects. This bill was repealed on the last evening of the session by the provisions of AB172, which adjusts prevailing wage requirements.
- SB133: Teacher Reimbursement – ENROLLED.** Provides up to \$250 to teachers for classroom supplies.
- SB144: Traffic Laws in School Zones– ENROLLED.** The bill raises the penalty for vehicles caught speeding in a school zone. The bill also makes it illegal for vehicles to perform a U-turn in a school traffic zone.
- SB168: Reopening Contracts During Fiscal Emergencies – ENROLLED.** This bill impacts collective bargain agreements during times of fiscal emergencies, allowing them to be reopened and renegotiated. For entities other than school districts, it also protects ending fund balances up to 25% from consideration during arbitration.
- SB207: School Construction without Prevailing Wage – SIGNED.** The second school construction bill passed authorizing school districts to issue general obligation bonds for school construction. This bill does not speak to prevailing wage, but the provisions of AB172 do.
- SB208: Charter School Notification – ENROLLED.** Forty-five days in advance of when a charter school is opening a new facility, the governing body is required to notify families within a two-mile radius of the school of the opening date and application process to attend.
- SB212: Student Discipline – ENROLLED.** Allows the superintendent to modify the suspension or expulsion requirement for good cause shown if a pupil commits a battery that results in bodily injury of a school employee, or sells or distributes a controlled substance. It also removes the provision that the use vile or indecent language on school property is punishable as a misdemeanor.
- SB220: Financial Literacy – FAILED.** This bill would have required financial literacy to be taught in middle school mathematics courses.
- SB236: STEM Council – FAILED.** The bill would have required the STEM Advisory Council to hold two student recognition events each year. The STEM Advisory Council was moved under the Office of Science, Innovation and Technology created by AB485 and that bill contains the events originally required by SB236.

- SB241: Evergreen, and Bargaining Units for Administrators – ENROLLED.** This bill eliminates the requirement for districts to pay increased compensation to employees when a new collective bargaining agreement has not been negotiated. It also requires that a principal to be considered an “at-will” employee for the first three years of employment in the district and requires all non-probationary administrators to reapply for their jobs every five years. Finally, the bill prohibits administrators who earn more than \$120,000 annually from belonging to a bargaining unit.
- SB290: Repeal Common Core – FAILED.** This bill would have voided the regulations through which the State Board adopted the Common Core State Standards and would have authorized the State Board to develop an alternative model curriculum. See also AB303.
- SB302: “Educational Savings Accounts” – SIGNED.** Similar to a voucher, parents may apply for grants in the amount of the state average per pupil funding to be used to open an “educational savings account” administered by the State Treasurer to obtain instruction from certain entities. The bill defines a participating entity as a private school; an eligible institution; a program of distance education; a tutor; or a parent. The funds may also be used for associated expenses such as textbooks, fees for norm-referenced tests, and other expenses.
- SB332: Peer Assistance Review (PAR) – ENROLLED.** This bill appropriates \$2 million over the biennium to implement the PAR program that has been developed through a partnership with CCSD and the Clark County Education Association.
- SB338: Safe to Tell – ENROLLED.** This bill establishes a 24-hour hotline within the Office of Safe and Respectful Learning Environments for the anonymous reporting of dangerous, violent or unlawful activity, or threats thereof, in or at a public school.
- SB391: Read by Three – ENROLLED.** This bill requires schools to develop a literacy plan, hire a reading specialist, and retain students after 3rd grade if they are underperforming after the 2019 school year.
- SB397: Revision to the Funding Formula – FAILED.** This bill was prepared as a result of the Interim Task Force that was tasked with reviewing and recommending changes to the funding formula. Another bill, SB 508, incorporated some elements of SB397 into its final language.
- SB405: Expansion of Zoom Schools – ENROLLED.** Appropriating \$100 million over the biennium to expand the number of Zoom Schools in Nevada, this was a major piece of the Governor’s education plan. In addition to elementary schools, at least one middle school and one high school must be designated as a Zoom School.
- SB406: Critical Labor Shortage – ENROLLED.** An amendment to SB406 removes the expiration date of provisions to hire retired teachers to fill positions declared as critical labor shortages.
- SB410: Safety Traffic Laws – ENROLLED.** The bill allows school buses heading to a from school related activities to drive the posted speed limit. This does not include normal bus routes used to pick up and drop off students from school. That speed remains at 55mph.
- SB432: Victory Schools – ENROLLED.** Another key element of the Governor’s education plan, this bill establishes Victory Schools with a \$50 million allocation over the biennium. Similar to Zoom Schools but with more options, Victory schools will be designated in zip codes with the highest rates of poverty.
- SB460: Alternative NSPF – ENROLLED.** This bill establishes the Alternative Performance Framework to measure the performance of alternative, behavioral, and special education schools.
- SB461: 5th Year Seniors Grad Plans – FAILED.** The bill would have required the board to create a policy where schools must create an individualized graduation plan that would allow students 18 additional months to graduate high school.
- SB474: Great Teachers and Leaders – ENROLLED.** Another piece of Governor Sandoval’s plan with the goal of improving professional development for teachers and administrators. Various entities are able to apply to the Nevada Department of Education for a share of the \$9.8 million funding if they would like to provide the training. The bill also continues to fund the RPDs.
- SB491: Harbor Master – ENROLLED.** The bill allocates \$5 million per year of the biennium to a non-profit entity who will use the money to attract high quality charter schools to Nevada.
- SB503: After the Bell – ENROLLED.** Requires breakfast to be served at schools with 70% or greater FRL rates (approximately 158 CCSD schools) after the beginning of the school day. The Department of Agriculture budget includes \$2M for grants to school districts for equipment, supplies, and labor.
- SB504: Bullying – SIGNED.** The bill changes the definition of bullying, changes time lines for reporting and investigating incidents, establishes penalties for noncompliance, creates the Office of Safe and

Respectful Learning within the Nevada Department of Education, and provides parents with additional avenues to resolve concerns.

- SB508: Revision to the Funding Formula – ENROLLED.** Following CCSD’s SB11 in 2011, and the Interim Study created by SB500 in 2013, this bill codifies the transition to a weighted per pupil funding. It updates the Nevada Plan that was approved in 1967.
- SB509: Charter School Clean Up Bill – ENROLLED.** This lengthy bill contains multiple changes related to the Charter School Authority and its administration of schools under its supervision. An amendment was added on that last day that governs non-performing schools within the Achievement School District (AB448) at the end of its six-year contract.
- SB511: Nevada Teach Scholarships and Hiring Incentives – ENROLLED.** This bill creates a scholarship fund for future teachers and also provides \$10 million for each year in the biennium to be used to hire new teachers who will teach in schools designated as Title I or in one- or two-star schools. These funds will be administered by the State Board to districts who submit an application.
- SB515: The Education Appropriations Bill – ENROLLED.** This is the major funding bill for K-12 programs, including the per pupil allocations for each county. Please note: funding for the completion of the full-day kindergarten program for every school is included in this bill (there is no separate full-day kindergarten bill).