

ASSEMBLY BILL NO. 139—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE  
ON EDUCATION)

PREFILED FEBRUARY 10, 2017

Referred to Committee on Education

SUMMARY—Provides for the voluntary establishment of a program of dual language immersion in certain public elementary schools. (BDR 34-442)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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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; requiring the State Board of Education to prescribe guidelines for the voluntary implementation of a program of dual language immersion in a public elementary school; requiring a competitive grant program to be created to provide grants of money to public elementary schools for establishing programs of dual language immersion; making appropriations; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 **Section 2** of this bill requires the State Board of Education to prescribe by  
2 regulation guidelines for the establishment of a program of dual language  
3 immersion in a public elementary school, which must: (1) require 50 percent of all  
4 course work in each participating grade to be taught in a language other than  
5 English; (2) establish a list of languages other than English that may be selected for  
6 the non-English portion of the course work; (3) establish the process by which an  
7 elementary school may select a language other than English for the non-English  
8 portion of the course work; (4) define the manner by which a program of dual  
9 language immersion must be implemented; (5) require an elementary school that  
10 establishes a program of dual language immersion to provide an option of English-  
11 only instruction; and (6) provide a process by which a school district or charter  
12 school may request a waiver from the State Board from certain requirements for the  
13 establishment of such a program.

14 **Section 3** of this bill requires the Department of Education to adopt regulations  
15 to create a competitive grant program to provide grants of money to not more than  
16 30 public elementary schools for the establishment of a program of dual language



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17 immersion. **Section 3** also requires the Department to develop performance and  
18 outcome indicators to measure the effectiveness of the establishment of programs  
19 of dual language immersion in public elementary schools in this State and submit  
20 an annual report to the Governor and the Legislature.

21 **Sections 4-6** of this bill appropriate money for purposes related to carrying out  
22 the competitive grant program for programs of dual language immersion and  
23 supporting public elementary schools that establish such programs. **Section 7** of  
24 this bill requires the Department to conduct a study to determine the feasibility of  
25 adding American Sign Language to the list of languages other than English that  
26 may be selected for the non-English portion of the course work in a program of  
27 dual language immersion.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *The State Board shall prescribe by regulation*  
4 *guidelines for the voluntary establishment of a program of dual*  
5 *language immersion in a public elementary school, including,*  
6 *without limitation, a charter school that operates as an elementary*  
7 *school. The regulations must, without limitation:*

8 1. *Require 50 percent of all course work in each participating*  
9 *grade level to be taught in English and 50 percent of course work*  
10 *to be taught in a language other than English;*

11 2. *Establish a list of languages other than English that may*  
12 *be selected for the non-English portion of course work which must*  
13 *include, without limitation, Spanish, French and Mandarin*  
14 *Chinese;*

15 3. *Establish the process by which an elementary school may*  
16 *select the language other than English for the non-English*  
17 *portion of course work;*

18 4. *Provide guidelines for an elementary school to carry out a*  
19 *program authorized by this section, which may include a gradual*  
20 *introduction of the program by grade level;*

21 5. *Require each elementary school that establishes a program*  
22 *of dual language immersion to provide an option for pupils to*  
23 *receive instruction only in English if:*

24 (a) *The parent or guardian of the pupil does not wish to have*  
25 *the pupil participate in the program; or*

26 (b) *The pupil enrolls in the school after pupils in the same*  
27 *grade have commenced course work in a language other than*  
28 *English; and*

29 6. *Provide a process by which a school district or charter*  
30 *school may obtain a waiver from the requirements of subsection 1*  
31 *from the State Board.*



1 **Sec. 3. 1. The Department shall adopt regulations to create**  
2 **a competitive grant program for public elementary schools to**  
3 **establish a program of dual language immersion pursuant to**  
4 **section 2 of this act. The regulations must, without limitation:**

5 (a) *Provide a method by which a public elementary school may*  
6 *apply for a grant;*

7 (b) *Establish the requirements for approving a grant;*

8 (c) *To the extent practicable, provide for the distribution of a*  
9 *maximum of 30 grants as follows:*

10 (1) *Twenty grants to public elementary schools located in*  
11 *the county in this State with the largest school district;*

12 (2) *Seven grants to public elementary schools located in the*  
13 *county in this State with the second largest school district; and*

14 (3) *Three grants to public elementary schools located in all*  
15 *other counties in this State.*

16 2. *For the purpose of paragraph (c) of subsection 1, the size*  
17 *of a school district must be determined as a measure of the total*  
18 *number of pupils enrolled in all public elementary schools of that*  
19 *district, and the number of pupils enrolled in any charter school*  
20 *that operates as an elementary school that is located within the*  
21 *boundaries of the school district.*

22 3. *The Department shall develop performance and outcome*  
23 *indicators to measure the effectiveness of the programs of dual*  
24 *language immersion established by public elementary schools in*  
25 *this State.*

26 4. *The Department shall annually submit a report evaluating*  
27 *the effectiveness of carrying out programs of dual language*  
28 *immersion to the Governor and the Director of the Legislative*  
29 *Counsel Bureau for transmittal to the Legislature or, if the*  
30 *Legislature is not in session, to the Interim Finance Committee.*

31 **Sec. 4. 1.** There is hereby appropriated from the State  
32 General Fund to the Department of Education for the purpose of  
33 hiring a part-time program manager and a part-time program  
34 assistant to administer the competitive grant program created  
35 pursuant to section 3 of this act:

36 For the Fiscal Year 2017-2018..... \$114,017

37 For the Fiscal Year 2018-2019..... \$133,167

38 2. Any balance of the sums appropriated by subsection 1  
39 remaining at the end of the respective fiscal years must not be  
40 committed for expenditure after June 30 of the respective fiscal  
41 years by the entity to which the appropriation is made or any entity  
42 to which money from the appropriation is granted or otherwise  
43 transferred in any manner, and any portion of the appropriated  
44 money remaining must not be spent for any purpose after  
45 September 21, 2018, and September 20, 2019, respectively, by



1 either the entity to which the money was appropriated or the entity  
2 to which the money was subsequently granted or transferred, and  
3 must be reverted to the State General Fund on or before  
4 September 21, 2018, and September 20, 2019, respectively.

5 **Sec. 5.** 1. There is hereby appropriated from the State  
6 General Fund to the Department of Education for Fiscal Year  
7 2018-2019 the sum of \$300,000 for the purpose of funding the  
8 competitive grant program created pursuant to section 3 of this act.

9 2. Any remaining balance of the appropriation made by  
10 subsection 1 must not be committed for expenditure after June 30,  
11 2019, by the entity to which the appropriation is made or any entity  
12 to which money from the appropriation is granted or otherwise  
13 transferred in any manner, and any portion of the appropriated  
14 money remaining must not be spent for any purpose after  
15 September 20, 2019, by either the entity to which the money was  
16 appropriated or the entity to which the money was subsequently  
17 granted or transferred, and must be reverted to the State General  
18 Fund on or before September 20, 2019.

19 **Sec. 6.** 1. There is hereby appropriated from the State  
20 General Fund to the Department of Education for Fiscal Year  
21 2018-2019 the sum of \$300,000 for the purpose of supporting the  
22 implementation of programs of dual language immersion in public  
23 elementary schools that are awarded grants of money pursuant to  
24 section 3 of this act.

25 2. An elementary school that receives any of the money  
26 appropriated to the Department pursuant to subsection 1 shall use  
27 the money to recruit teachers, provide professional development for  
28 participating school personnel, establish performance measures and  
29 secure technical assistance to carry out a program of dual language  
30 immersion;

31 3. Any remaining balance of the appropriation made by  
32 subsection 1 must not be committed for expenditure after June 30,  
33 2019, by the entity to which the appropriation is made or any entity  
34 to which money from the appropriation is granted or otherwise  
35 transferred in any manner, and any portion of the appropriated  
36 money remaining must not be spent for any purpose after  
37 September 20, 2019, by either the entity to which the money was  
38 appropriated or the entity to which the money was subsequently  
39 granted or transferred, and must be reverted to the State General  
40 Fund on or before September 20, 2019.

41 **Sec. 7.** The Department of Education shall conduct a study to  
42 determine the feasibility of adding American Sign Language to the  
43 list of languages, established pursuant to subsection 2 of section 2 of  
44 this act that may be selected for the portion of course work taught in  
45 a language other than English in programs of dual language



1 immersion and, on or before December 31, 2018, submit a report of  
2 the findings of the study to the Governor and the Director of the  
3 Legislative Counsel Bureau for transmittal to the 80th Session of the  
4 Legislature.

5 **Sec. 8.** The provisions of subsection 1 of NRS 218D.380 do  
6 not apply to any provision of this act which adds or revises a  
7 requirement to submit a report to the Legislature.

8 **Sec. 9.** 1. This section and section 8 of this act become  
9 effective upon passage and approval.

10 2. Sections 1, 2 and 3 of this act become effective:

11 (a) Upon passage and approval for the purpose of adopting  
12 regulations and performing any other preparatory administrative  
13 tasks that are necessary to carry out the provisions of this act; and

14 (b) On January 1, 2018, for all other purposes.

15 3. Sections 4 to 7, inclusive, of this act become effective on  
16 July 1, 2017.







