

ASSEMBLY BILL NO. 351—ASSEMBLYMAN FUMO

MARCH 20, 2017

Referred to Committee on Education

SUMMARY—Establishes program of grants to be used by teachers to make payments on educational loans. (BDR 34-653)

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 teachers; requiring the Department of Education to designate the counties, kinds of licenses and fields of endorsement for which a shortage of teachers exists in this State; requiring the Department to designate certain areas of instruction as areas of critical need in this State; requiring the Superintendent of Public Instruction to award grants to certain teachers who teach in such counties, possess such licenses or endorsements, or teach in an area of critical need; authorizing the Superintendent to take certain actions if an application for such a grant contains false or misleading information; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Department of Education to prepare an annual report
2 of the state of public education in this State. (NRS 385.230) **Section 1** of this bill
3 requires that report to contain a designation of the counties, kinds of licenses and
4 fields of endorsement for which a shortage of teachers exists in this State. In
5 addition, the report must designate areas of instruction identified as areas of critical
6 need in this State.
7 **Sections 3-11** of this bill establish the Teacher Shortage Loan Repayment
8 Grants Program to provide grants of money to teachers who teach in the counties or
9 possess a kind of license or endorsement designated as having a shortage of
10 teachers in this State. Teachers who have taught in certain public schools for 2
11 years or more in special education, English as a second language or any other area
12 of instruction designated as an area of critical need are also eligible for grants.
13 **Section 7** establishes the Teacher Shortage Loan Repayment Account in the State
14 General Fund for the deposit of money to pay for Teacher Shortage Loan



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15 Repayment Grants. **Section 8** prescribes the criteria that a teacher must meet to be
16 eligible to receive a Teacher Shortage Loan Repayment Grant and the types of
17 loans that may be repaid using the Grant.

18 **Section 9** establishes the required contents of an application for a Teacher
19 Shortage Loan Repayment Grant. **Section 9** also requires the Superintendent of
20 Public Instruction to review applications annually and to award grants of money to
21 approved teachers. Additionally, **section 9** requires the recipient of a Teacher
22 Shortage Loan Repayment Grant to submit proof that the Grant was used to make
23 payments on authorized educational loans.

24 If the Superintendent determines that an application for a Teacher Shortage
25 Loan Repayment Grant contains false or misleading information, **section 9**
26 authorizes the Superintendent to recover any money awarded to such a teacher for
27 the school year in which the application was submitted.

28 **Section 10** requires the Superintendent to submit a biennial report to the
29 Legislature that contains certain information about Teacher Shortage Loan
30 Repayment Grants.

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

1 **Section 1.** NRS 385.230 is hereby amended to read as follows:
2 385.230 1. The Department shall, in conjunction with the
3 State Board, prepare an annual report of the state of public
4 education in this State. The report must include, without limitation:

5 (a) An analysis of each annual report of accountability prepared
6 by the State Board pursuant to NRS 385A.400;

7 (b) An update on the status of K-12 public education in this
8 State;

9 (c) A description of the most recent vision and mission
10 statements of the State Board and the Department, including,
11 without limitation, the progress made by the State Board and
12 Department in achieving those visions and missions;

13 (d) A description of the goals and benchmarks for improving the
14 academic achievement of pupils which are included in the plan to
15 improve the achievement of pupils required by NRS 385.111;

16 (e) A description of any significant changes made to the
17 collection, maintenance or transfer of data concerning pupils by the
18 Department, a school district, a sponsor of a charter school or a
19 university school for profoundly gifted pupils;

20 (f) Any new data elements, including, without limitation, data
21 about individual pupils and aggregated data about pupils within a
22 defined group, proposed for inclusion in the automated system of
23 accountability information for Nevada established pursuant to
24 NRS 385A.800;

25 (g) An analysis of the progress the public schools have made in
26 the previous year toward achieving the goals and benchmarks for
27 improving the academic achievement of pupils;



1 (h) An analysis of whether the standards and examinations
2 adopted by the State Board adequately prepare pupils for success in
3 postsecondary educational institutions and in career and workforce
4 readiness;

5 (i) An analysis of the extent to which school districts and charter
6 schools recruit and retain effective teachers and principals;

7 (j) An analysis of the ability of the automated system of
8 accountability information for Nevada established pursuant to NRS
9 385A.800 to link the achievement of pupils to the performance of
10 the individual teachers assigned to those pupils and to the principals
11 of the schools in which the pupils are enrolled;

12 (k) An analysis of the extent to which the lowest performing
13 public schools have improved the academic achievement of pupils
14 enrolled in those schools;

15 (l) A summary of the innovative educational programs
16 implemented by public schools which have demonstrated the ability
17 to improve the academic achievement of pupils, including, without
18 limitation:

19 (1) Pupils who are economically disadvantaged, as defined
20 by the State Board;

21 (2) Pupils from major racial and ethnic groups, as defined by
22 the State Board;

23 (3) Pupils with disabilities;

24 (4) Pupils who are limited English proficient; and

25 (5) Pupils who are migratory children, as defined by the State
26 Board; ~~and~~

27 (m) A description of any plan of corrective action requested by
28 the Superintendent of Public Instruction from the board of trustees
29 of a school district or the governing body of a charter school and the
30 status of that plan ~~+~~ ;

31 *(n) A designation of the counties, kinds of licenses prescribed*
32 *in NRS 391.031 and fields of endorsement for which a shortage of*
33 *teachers exists in this State; and*

34 *(o) A designation of any area of instruction identified for the*
35 *purposes of section 8 of this act as an area of critical need in this*
36 *State, in addition to those specified in paragraph (d) of subsection*
37 *2 of that section.*

38 2. In odd-numbered years, the Superintendent of Public
39 Instruction shall present the report prepared pursuant to subsection 1
40 in person to the Governor and each standing committee of the
41 Legislature with primary jurisdiction over matters relating to K-12
42 public education at the beginning of each regular session of the
43 Legislature.

44 3. In even-numbered years, the Superintendent of Public
45 Instruction shall, on or before January 31, submit a written copy of



1 the report prepared pursuant to subsection 1 to the Governor and to
2 the Legislative Committee on Education.

3 **Sec. 2.** Chapter 391A of NRS is hereby amended by adding
4 thereto the provisions set forth as sections 3 to 11, inclusive, of this
5 act.

6 **Sec. 3.** *As used in sections 3 to 11, inclusive, of this act,*
7 *unless the context otherwise requires, the words and terms defined*
8 *in sections 4, 5 and 6 of this act have the meanings ascribed to*
9 *them in those sections.*

10 **Sec. 4.** *“Account” means the Teacher Shortage Loan*
11 *Repayment Account created by section 7 of this act.*

12 **Sec. 5.** *“Other provider of an alternative licensure program”*
13 *has the meaning ascribed to it in NRS 391A.560.*

14 **Sec. 6.** *“Teacher Shortage Loan Repayment Grant” means a*
15 *grant of money awarded by the Superintendent of Public*
16 *Instruction pursuant to section 9 of this act.*

17 **Sec. 7.** 1. *The Teacher Shortage Loan Repayment Account*
18 *is hereby created in the State General Fund. The Account must be*
19 *administered by the Superintendent of Public Instruction.*

20 2. *The interest and income earned on:*

21 (a) *The money in the Account, after deducting any applicable*
22 *charges; and*

23 (b) *Unexpended appropriations made to the Account from the*
24 *State General Fund,*

25 *↪ must be credited to the Account.*

26 3. *Any money remaining in the Account at the end of a fiscal*
27 *year, including any unexpended appropriations made to the*
28 *Account from the State General Fund, does not revert to the State*
29 *General Fund, and the balance in the Account must be carried*
30 *forward to the next fiscal year.*

31 4. *The Superintendent of Public Instruction may accept gifts,*
32 *grants and donations of money from any source for deposit in the*
33 *Account.*

34 5. *The money in the Account may only be used to award*
35 *Teacher Shortage Loan Repayment Grants to teachers whose*
36 *applications are approved pursuant to section 9 of this act.*

37 **Sec. 8.** 1. *After preparing the report required by NRS*
38 *385.230, the Department shall publish on its Internet website a list*
39 *of the:*

40 (a) *Counties, kinds of licenses prescribed in NRS 391.031 and*
41 *fields of endorsement designated in that report as having a*
42 *shortage of teachers in this State; and*

43 (b) *Areas of instruction specified in paragraph (d) of*
44 *subsection 2 or designated in that report as areas of critical need*
45 *in this State for the purposes of this section.*



1 2. *Except as otherwise provided in subsection 4, a teacher is*
2 *eligible to receive a Teacher Shortage Loan Repayment Grant if*
3 *he or she has outstanding educational loans that meet the*
4 *requirements of subsection 3 and:*

5 (a) *Teaches at a public school that is located in a county in*
6 *this State that has been designated in the most recent report*
7 *prepared pursuant to NRS 385.230 as having a shortage of*
8 *teachers;*

9 (b) *Possesses a kind of license that has been designated in the*
10 *most recent report prepared pursuant to NRS 385.230 as having a*
11 *shortage of teachers and teaches or performs educational*
12 *functions as designated by that license at a public school in this*
13 *State;*

14 (c) *Possesses an endorsement in a field that has been*
15 *designated in the most recent report prepared pursuant to NRS*
16 *385.230 as having a shortage of teachers and teaches in the field*
17 *of specialization authorized by that endorsement at a public school*
18 *in this State; or*

19 (d) *Has taught for 2 years or more in special education,*
20 *English as a second language or other area of instruction that has*
21 *previously been designated in the report prepared pursuant to*
22 *NRS 385.230 as an area of critical need in this State, in a:*

23 (1) *Title I school; or*

24 (2) *Public school that has received one of the two lowest*
25 *ratings of performance pursuant to the statewide system of*
26 *accountability for public schools.*

27 3. *A teacher may use a Teacher Shortage Loan Repayment*
28 *Grant only to make payments on:*

29 (a) *An educational loan incurred for the purpose of*
30 *completing a program:*

31 (1) *That is offered by a university, college or other provider*
32 *of an alternative licensure program and approved by the*
33 *Superintendent of Public Instruction; and*

34 (2) *As required for the teacher to obtain a license to teach*
35 *or perform the educational function that the teacher currently*
36 *teaches or performs or the endorsement described in paragraph*
37 *(c) of subsection 2; or*

38 (b) *The interest on an educational loan described in*
39 *paragraph (a).*

40 4. *A teacher may not receive a Teacher Shortage Loan*
41 *Repayment Grant if the teacher has received such a Grant in:*

42 (a) *Five or more previous school years; or*

43 (b) *A previous school year and failed to provide the proof*
44 *required by subsection 3 of section 9 of this act.*



1 **Sec. 9. 1.** *A teacher who wishes to receive a Teacher*
2 *Shortage Loan Repayment Grant must apply to the*
3 *Superintendent of Public Instruction in the form prescribed by the*
4 *State Board. The application must contain an affidavit verifying*
5 *that the applicant meets the requirements of section 8 of this act*
6 *and any other information required by the Superintendent of*
7 *Public Instruction or any regulation adopted by the State Board*
8 *pursuant to section 11 of this act.*

9 **2.** *Each school year, the Superintendent of Public Instruction*
10 *shall:*

11 **(a)** *Review each application submitted pursuant to subsection*
12 *1 and approve each such application submitted by an applicant*
13 *who meets the requirements of section 8 of this act; and*

14 **(b)** *Except as otherwise provided in this paragraph and*
15 *subsection 4, award a Teacher Shortage Loan Repayment Grant*
16 *from the Account to each approved teacher in the amount of*
17 *\$1,000 or the amount that the teacher owes on outstanding loans*
18 *and interest described in subsection 3 of section 8 of this act,*
19 *whichever is less. If there is insufficient money in the Account to*
20 *award a Teacher Shortage Loan Repayment Grant to each*
21 *qualified applicant, the amount of money available must be*
22 *distributed pro rata.*

23 **3.** *Not later than 60 days after the date on which Teacher*
24 *Shortage Loan Repayment Grants are awarded pursuant to*
25 *subsection 2, a recipient of a Teacher Shortage Loan Repayment*
26 *Grant shall provide proof that the money was used to make*
27 *payments as described in subsection 3 of section 8 of this act.*

28 **4.** *If the Superintendent of Public Instruction determines that*
29 *an application submitted pursuant to subsection 1 contains false*
30 *or misleading information or that information associated with*
31 *such an application is false or misleading, the Superintendent*
32 *shall not award a Teacher Shortage Loan Repayment Grant to the*
33 *applicant and may:*

34 **(a)** *Recover any money awarded to the applicant for the school*
35 *year for which the false application was filed and deposit the*
36 *money in the Account; and*

37 **(b)** *Maintain an action in a court of competent jurisdiction to*
38 *recover such money.*

39 **Sec. 10.** *On or before February 1 of each odd-numbered*
40 *year, the Superintendent of Public Instruction shall submit to the*
41 *Director of the Legislative Counsel Bureau for transmittal to the*
42 *Legislature a report which must include, for each school year of*
43 *the immediately preceding biennium:*

44 **1.** *The number of teachers who received a Teacher Shortage*
45 *Loan Repayment Grant;*



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- 1 2. *The counties in which those teachers taught;*
- 2 3. *The types of licenses and endorsements possessed by those*
- 3 *teachers;*
- 4 4. *The average amount of a Teacher Shortage Loan*
- 5 *Repayment Grant awarded to those teachers; and*
- 6 5. *Any other data that the Superintendent of Public*
- 7 *Instruction determines is useful to evaluate whether Teacher*
- 8 *Shortage Loan Repayment Grants have encouraged teachers to*
- 9 *teach in the:*

10 (a) *Counties and obtain the types of licenses and endorsements*
11 *that have been designated as having a shortage of teachers in this*
12 *State pursuant to NRS 385.230; or*

13 (b) *Schools described in paragraph (d) of subsection 2 of*
14 *section 8 of this act in the areas of instruction specified in that*
15 *paragraph or designated as areas of critical need in this State*
16 *pursuant to NRS 385.230.*

17 **Sec. 11.** *The State Board shall adopt any regulations*
18 *necessary or convenient to carry out the provisions of sections 3 to*
19 *11, inclusive, of this act, including, without limitation, regulations*
20 *prescribing the requirements that a program offered by a*
21 *university, college or other provider of an alternative licensure*
22 *program must meet for the Superintendent of Public Instruction to*
23 *approve the program pursuant to subsection 3 of section 8 of this*
24 *act.*

25 **Sec. 12.** *The provisions of subsection 1 of NRS 218D.380 do*
26 *not apply to any provision of this act which adds or revises a*
27 *requirement to submit a report to the Legislature.*

28 **Sec. 13.** *This act becomes effective upon passage and approval*
29 *for the purpose of adopting regulations and performing any other*
30 *administrative tasks that are necessary to carry out the provisions of*
31 *this act and on January 1, 2018, for all other purposes.*



