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Superintendent of Public Instruction



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July 2, 2015

## **GUIDANCE MEMORANDUM #15-11**

**TO:** Clark County Superintendent Pat Skorkowsky

**COPY:** All School Districts and Charter Schools

**FROM:** Dale A.R. Erquiaga  
Superintendent of Public Instruction

**SUBJECT:** Request for Guidance Concerning Full-Day Kindergarten

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On June 10, 2015, you submitted 19 letters requesting detailed guidance on a number of bills passed by the 78<sup>th</sup> Regular Session of the Nevada Legislature and signed by Governor Sandoval. Several questions have already been addressed; this third guidance memorandum primarily addresses **Senate Bill 515, Section 30**.<sup>1</sup> Your letter is attached and incorporated by reference.

This guidance is issued pursuant to the authority provided in NRS 385.175(5), directing the Superintendent of Public Instruction to enforce the observance of Title 34 of Nevada's statutes and all other statutes and regulations governing public education. This office has sought the informal input of the school districts and the Legislative Counsel Bureau in preparing the information below.

### Senate Bill 515, Section 30 – Full-Day Kindergarten Implementation

This legislation and the corresponding appropriation seek to complete the work of making full-day kindergarten (FDK) available at all schools, without the need for tuition-based programs. The intent of the Governor and Legislature was to complete a phased approach to expanding FDK in the second year of the upcoming biennium; the work is somewhat complicated by provisions of SB 405 and SB 432. Funding has also been provided for charter schools for the first time. Districts are making decisions about which schools should have priority for State-funded FDK in the first year of the biennium.

Given the limits of the legislative appropriation in Fiscal Year 2015-2016, tuition-based programs **may** continue for one more year at the discretion of each district or charter school. Alternatively, by using other available funds, a district **may** choose to eliminate all tuition-based programs in the first year of the biennium.

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<sup>1</sup> Some matters from your letters concerning Senate Bills 405 and 432 are also addressed in this memorandum, following the issuance of earlier guidance on Zoom and Victory Schools.

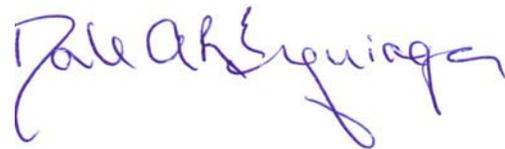
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The issue of which schools to prioritize in the first year is a matter of local control, although some guidance is offered herein. While SB 515 states that funds will be allocated based on the percentage of pupils eligible for free or reduced-priced lunch (FRL), I understand that some schools currently offering tuition-based FDK may not have significant numbers of FRL students. Therefore, when prioritizing for phased implementation in School Year 2015-2016, a school district may first serve any school with an FRL population (and proceed based on percentage levels if there are more schools) and may then establish another means of determining which schools will receive State FDK funding. The means of such determination may include, but is not limited to, the following options: the level of performance on the Nevada School Performance Framework, a random lottery among remaining schools, or the pre-existence of tuition-based kindergarten.

Zoom School and Zoom Grant funding **may** be used in School Year 2015-2016 to ensure the English language learner population has access to FDK at each site that is served with these dollars. Districts and charters have the discretion to make this decision. By School Year 2016-2017, however, FDK dollars should cover all Zoom Schools in Clark County and Washoe County such that additional Zoom Schools can be added at that time. It should also be possible for FDK dollars to cover rural and charter schools in the second year of the biennium such that Zoom Grants in that year can be directed to other allowable strategies and interventions. (NOTE: If this is expected to be an issue for a district or charter school receiving Zoom funding, please notify Jane Splean, Assistant Director NDE.) The stated goal is that Zoom and FDK funds are completely independent of each other in Fiscal Year 2016-2017, and tuition-based kindergarten should be eliminated.

It is the understanding of this office that all Victory Schools already offer FDK. Thus, the new funding is not at issue in those schools.

Questions have also been submitted relating to accessing State funds to purchase portables for the implementation of FDK in certain school districts and charter schools. As noted during the Legislative Session, Clark County School District testified that they did not require such funding for portables. All other school districts and charter schools may submit a request for funds to Mindy Martini, Deputy Superintendent for Business and Support Services. In submitting the request, please provide the number of portables requested; the cost per portable; and justification for the request. All requests for funds must be submitted on or before July 15, 2015. As in prior year, awards will be prorated or made on a competitive basis if necessary.

A handwritten signature in blue ink, appearing to read "Jane Splean".

June 10, 2015

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Dale A.R. Erquiaga  
Superintendent of Public Instruction  
Nevada Department of Education  
700 E. Fifth Street  
Carson City, NV 89701

Dear Mr. Erquiaga:

The Clark County School District is ready to implement the work the Department of Education was able to accomplish during this legislative session. At this time, we are requesting a guidance memo related to legislation recently passed and signed into law. As the state superintendent of instruction, you were instrumental in the passage of these new programs, and we seek your guidance as we implement the new requirements. Many of the newly passed bills become effective on July 1, 2015. This requires immediate action by school districts across the state, given the current date and unclear scope of work and expectations in each bill.

**Senate Bill 515, Section 30, Question:**

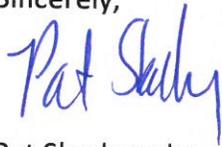
Section 30 of this Bill provides funds for full-day kindergarten implementation. The Clark County School District will phase in its implementation of this program over the biennium. During testimony it was recommended that CCSD expand implementation to the schools where it offers a tuition-based program. However, Section 30 (3) of SB515 requires funds to be allocated based on percentages of pupils eligible for the free or reduced price lunch (FRL) program. The list of FRL schools is not the same as the list of tuition-based schools. Is it your intention that tuition-based programs continue for another year? Based on committee discussion, the Clark County School District prefers to replace tuition-based programs in the first year of the biennium and complete the entire list in the second year.

Since Section 30 of Senate Bill 515 becomes effective on July 1, 2015, a response to the questions above is requested by July 1, 2015, to ensure compliance, as well as a consistent and successful implementation. Without this vital information and clarification of these questions, it will be extremely difficult to be ready for full implementation.

Mr. Erquiaga  
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We appreciate your immediate attention to this request. Our team is ready and willing to meet with individuals or teams from the Department to work through these questions. I cannot overstate the sense of urgency that the diligent staff of the Clark County School District feels at this critical time.

Sincerely,



Pat Skorkowsky  
Superintendent of Schools

"Every student in every classroom, without exceptions, without excuses"

cc: Clark County School District Board of Trustees  
Elaine Wynn, president, Nevada State Board of Education  
Members, Nevada State Board of Education  
Nevada Association of School Superintendents