

**NEVADA DEPARTMENT OF EDUCATION  
GUIDANCE DOCUMENT FOR  
SB 178**



For the 2017-2018 School Year

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### **Overview of SB 178**

Senate Bill 178 (SB 178) is an act which established a weighted formula providing additional state funding to Nevada public schools to support underperforming English Learners (ELs) and/or students who qualify for free or reduced-price lunch (FRL) performing in the lowest quartile of student achievement and who are not currently enrolled in a Zoom or Victory school. This funding is to “...ensure each Nevada child a reasonably equal educational opportunity” (NRS 387.121). For the 2017-18 school year, the legislature appropriated approximately \$1,200 for each eligible student to provide specific education interventions, as defined in SB 178 Sec 9.4 and 9.5.

### **Purpose**

The purpose of SB 178 is to provide additional funding to Nevada school districts and charter schools to implement evidence-based intervention programs and services proven to increase the academic achievement of eligible students. The Nevada Department of Education (NDE) provides this guidance document to assist local education agencies (LEAs) and eligible schools.

### **Goals**

As defined in the federally approved *Nevada’s Every Student Succeeds Act (ESSA) State Plan*, the NDE seeks to provide leadership and support to LEAs in becoming the fastest improving state in the nation. To accomplish this goal, NDE focuses on the following priorities:

1. Developing great school leaders
2. Using data to inform decisions impacting our schools
3. Identifying and improving the lowest-performing schools

Also guiding the department’s work are the established goals of the State Improvement Plan (STIP):

- Goal 1: All students are proficient in reading by the end of 3<sup>rd</sup> grade.
- Goal 2: All students enter high school with the skills necessary to succeed.
- Goal 3: All students graduate college, career, and community ready.
- Goal 4: All students served by effective educators.
- Goal 5: Efficient and effective use of public funds in service to students.
- Goal 6: All students learn in an environment that is physically, emotionally, and intellectually safe.

### **Eligibility Criteria**

As part of the annual SB 178 allocation process, NDE is to prioritize the lowest performing schools (beginning with one-star schools) to receive funds, and continue with two and three star schools until funds are exhausted [*SB 178 Sec 8.2-4 (a-b)*]. SB 178 directs the NDE to annually determine the number of eligible pupils in each public school, based on the previous year validation day counts, who meet the following criteria:

- (1) Are English learners or eligible for a free or reduced-price lunch;
- (2) Scored at or below the 25<sup>th</sup> percentile on certain assessments of proficiency;
- (3) Are not enrolled at a Zoom school or Victory school; and
- (4) Do not have an individualized education program [*SB 178 Sec 8.1 (a-d)*].

### Program Funding Awarded

The Nevada State Legislature appropriated \$36,000,000 for the fiscal year 2017-18 for SB 178. For schools that qualify for SB 178 state grant, the NDE provides \$1,200.00 per eligible EL and FRL student performing in the bottom quartile as defined by statute [SB 178 Sec 8]. On or before July 15 of each year, the Department will transfer the SB 178 funds to the special revenue fund created by the LEAs as outlined in SB 178 Sec 8.4.

### ESSA's Evidence-based Requirements

A public school that receives money pursuant to section 8 of SB 178 must use the money only on programs or services which are evidence-based, as defined in 20 U.S.C. §7801 (21) [SB 178 Sec 9(3)].

#### ESSA Evidence-based Interventions Criteria Nevada Department of Education

#### ESSA Levels of Evidence - 20 U.S.C. § 7801(21)

Demonstrate a statistically significant effect on improving student outcomes	<b>1</b> <b>STRONG EVIDENCE</b>	Based on at least 1 well-designed and well-implemented experimental study
	<b>2</b> <b>MODERATE EVIDENCE</b>	Based on at least 1 well-designed and well-implemented quasi-experimental study
	<b>3</b> <b>PROMISING EVIDENCE</b>	Based on at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias
Demonstrates a rationale that such activity, strategy, or intervention is likely to improve student outcomes	<b>4</b> <b>DEMONSTRATES A RATIONALE</b>	Based on high-quality research findings or positive evaluation, and includes ongoing efforts to examine the effects of such activity, strategy, or intervention

Schools and districts using these funds must adhere to ESSA evidence-based intervention tiers 1-4, as stipulated in SB 178 and Assembly Bill 7. Failure to demonstrate that funds are used for interventions meeting these evidence requirements may result in disqualification from the next year's qualifying funds.

## SB 178 Allowable Strategies with Evidence-based Intervention Levels

**At least 90% of funds must be used for:**

<b>Evidence-based, as defined in 20 U.S.C. § 7801(21)*</b> *This refers to ESSA evidence levels 1-4: Strong, Moderate, Promising, or Demonstrates a Rationale	<b>Evidence-based, as defined in 20 U.S.C. § 7801(21)(A)(i)**SB</b> **This refers to ESSA evidence levels 1-3: Strong, Moderate, or Promising
<ul style="list-style-type: none"> <li>• Extended learning opportunities (including, but not limited to):               <ul style="list-style-type: none"> <li>○ Summer academy</li> <li>○ Intersession academy</li> <li>○ Before or after school program</li> <li>○ Extended school day</li> <li>○ Learning opportunity at another time when school is not in session</li> </ul> </li> <li>• Academic interventions (including, but not limited to):               <ul style="list-style-type: none"> <li>○ Reading or literacy center</li> <li>○ Administration of a common, valid, and reliable formative and summative assessment</li> </ul> </li> <li>• Early childhood education, including a prekindergarten program</li> <li>• Any other strategy designed by the public school and approved by the Department</li> <li>• Parent and family engagement programs or services</li> <li>• School climate and culture programs</li> <li>• Social, psychological, or health care services to pupils and their families (including, but not limited to):               <ul style="list-style-type: none"> <li>○ Counseling</li> <li>○ Wrap-around services</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Academic interventions:               <ul style="list-style-type: none"> <li>○ Implementation of curriculum or software, which may include, without limitation, a course of instruction in college and career readiness;</li> <li>○ Hiring of personnel to implement an academic intervention</li> </ul> </li> </ul>

**No more than 10% of funds must be used for:**

<b>Evidence-based, as defined in 20 U.S.C. § 7801(21)*</b> *This refers to ESSA evidence levels 1-4: Strong, Moderate, Promising, or Demonstrates a Rationale	<b>Evidence-based, as defined in 20 U.S.C. § 7801(21)(A)(i)**</b> **This refers to ESSA evidence levels 1-3: Strong, Moderate, or Promising
<ul style="list-style-type: none"> <li>• Reimbursement for coursework required to obtain endorsement relating to English language acquisition and development for teachers and other licensed educational personnel serving EL students</li> <li>• Retention incentives for teachers or other licensed educational personnel serving EL students and have obtained endorsement</li> </ul>	<ul style="list-style-type: none"> <li>• Professional development</li> </ul>

## Organization

Management of the SB 178 grant program has been assigned to the Office of Student and School Supports in the Student Achievement Division. Primary contacts for technical assistance and support for SB 178 schools and districts are listed below. Additional contacts are listed at the end of this guidance document.

### SB 178 Nevada Department of Education Contacts

Name	Title	Contact Information
Susan Ulrey, Ed. D.	Education Programs Professional, Victory & SB 178 Programs and Services	702-668-4349 sulrey@doe.nv.gov
Blakely Hume	Education Programs Professional, Zoom, Victory, & SB 178 Programs and Services	775-687-9212 bhume@doe.nv.gov
Karl Wilson	Assistant Director/Education Programs Supervisor, Office of Student and School Supports	702-668-4311 karlwilson@doe.nv.gov

## Program Requirements

This section is organized into three categories of responsibility:

1. Schools receiving SB 178 funds
2. Local Education Agencies with schools receiving SB 178 funds
3. State Education Agency

### Schools receiving SB 178 funds: Responsibilities

1. Before using any SB 178 funds, a public school must develop a plan that incorporates required input. To meet this requirement, schools receiving SB 178 funds are to complete the School Performance Plan (SPP) Addendum (Appendix B) and sign the school level General State Grant Assurances document located in Appendix C of this guidance document. The assurances will be submitted to the school's LEA. The LEA will submit school level assurances to the Nevada Department of Education.
  - a) Schools consult with appropriate staff of the school district to coordinate the use of the money by the school in a manner that maximizes the efficient use of such money [SB 178 Sec 9.2(a)(1)]
  - b) Schools must consult with parents or legal guardians of students enrolled at the school, and an organizational team (if one exists), to determine the needs of the students and their preferences for services provided for in section 9.4 and 9.5 (allowable strategies) [SB 178 Sec 9.2(a)(2)].
  - c) In consultation with parents or legal guardians or the organizational team, schools must develop a plan for the use of the money and the goals to be achieved as a result of the use of the money [SB 178 Sec 9.2(a)(2)(b)]
  - d) Schools can only use the money on evidence-based programs and services [SB 178 Sec 9.3]

- e) Schools must ensure the services provided for EL students with SB 178 funding complies with any plan adopted by the school district for services to students who are English learners *[SB 178 Sec 9.7]*.
  - f) Schools must use the measurable objectives and performance targets prescribed by the Department *[SB 178 Sec 11]*. See Appendix A.
2. Schools must submit an annual report to the local board of trustees *[SB 178 Sec 11.2]*. For the November 30, 2017 report, schools are to submit the SB 178 SPP Addendum. Starting in 2018, the report must include:
- a) The measurable objectives and performance targets prescribed by the Department of Education to measure the effectiveness of the public school in providing SB 178 programs and services.
  - b) Information for the preceding school year, including relevant data regarding the number of students served, costs, and outcome measures for each intervention, program, or services provided with SB 178 funds.

### **Local Education Agencies (LEAs) with schools receiving SB 178 funds: Responsibilities**

#### Funding

1. LEA shall establish a special revenue fund and direct the money to be deposited into the special revenue fund *[SB 178 Sec 7.3]*
2. LEA shall disburse the money to the eligible schools *[SB 178 Sec 7.3]*. The board of trustees is responsible to ensure that the money in the special revenue fund is used only for the evidence-based programs and services defined in section 9 of this act.
3. LEA will return any remaining funds at the end of the year to the Account for the New Nevada Education Funding Plan *[SB 178 Sec 7.3(c)]*.

#### Plan Approval

4. The LEA is responsible for reviewing and approving the SB 178 SPP Addendum for each school receiving SB 178 funds prior to authorizing the expenditure of SB 178 funds.
5. For the 2017-2018 school year, to verify the LEA has reviewed and approved each SB 178 SPP Addendum, the NDE requires the LEA to collect, complete, and submit the following documents by November 30, 2017:
  - i. SB 178 SPP Addendum (Appendix B)
  - ii. School Level State Grant Assurances document for each participating school (Appendix C)
  - iii. LEA Level State Grant Assurances document (Appendix D)

\*Documents are to be submitted into the district's ePAGE "LEA Document Library." A folder titled "SB 178 SPP Addendums and Assurances" will be available to upload the documents.

- a. For the 2018-2019 school year, LEAs will submit the SB 178 SPP Addendum, the School-level State Grant Assurances document for each school receiving funds, and the District Level General State Grant Assurances document to NDE by August 30, 2018.

#### Reporting

6. LEA will submit school reports to SEA by November 30<sup>th</sup> of each year:

- a. LEA will establish a due date for schools to turn in a report to the district, measuring the effectiveness of the school in providing services pursuant to section 9 [SB 178 Sec 11.2].
- b. Although the report should contain information from the preceding school year [SB 178 Sec 11.3], for the November 30, 2017 report, LEAs are to submit the SB 178 SPP Addendum and School Level State Grant Assurance Document for each participating school.
- c. Starting in 2018-2019, the report must include:
  - i. The measurable objectives and performance targets prescribed by the Department of Education to measure the effectiveness of the public school in providing SB 178 programs and services.
  - ii. Information for the preceding school year, including relevant data regarding the number of students served, costs, and outcome measures for each intervention, program, or services provided with SB 178 funds.

### **State Education Agencies (SEAs): SB 178 Responsibilities**

#### Identification and Funding of Eligible Schools

1. SEA will identify the eligible EL and FRL students scoring at or below the 25<sup>th</sup> percentile starting with the lowest performing schools (students who are not enrolled in Zoom or Victory schools and do not have an IEP) [SB 178 Sec 8.1(a-d)].
2. By July 15 of each year, the Department shall transfer money from the Account for the New Nevada Education Funding Plan to the board of trustees of each school district and each sponsor of a charter school, in accordance with statutory language [SB 178 Sec 8].
  - a. NDE shall provide a per pupil amount of \$1,200 for each pupil identified to each school starting with funding 1-star schools and proceeding to 2-star schools and up until not all schools in the star range can be funded.
  - b. In the category of schools that cannot be fully funded the NDE will rank the schools within the star range by the highest number of pupils identified and distribute funding until the funding is exhausted.

#### Plan and Application Procedures

3. SEA will provide the SB 178 SPP Addendum template for the eligible schools to complete.
  - a. SEA will provide training for the districts and schools on how to complete the SB 178 Addendum. Training will include:
    - a) Use of funds: Schools can only use the money on evidence-based programs and services [SB 178 Sec 9.3].
    - b) Alignment: Schools must ensure the services provided for EL students with SB 178 funding complies with any plan adopted by the school district for services to students who are English learners [SB 178 Sec 9.7].
    - c) Growth Targets: Schools must use the measurable objectives and performance targets prescribed by the SEA [SB 178 Sec 11].
4. SEA will review SB 178 SPP Addenda and General State Grant Assurances submitted by the LEA to identify alignment with the intent of the program and any potential concerns.

### SEA Monitoring of SB 178 Schools:

5. SEA will monitor a sample of the SB 178 schools each year. Procedures may include desktop and/or on-site monitoring.
6. SEA will conduct a Risk Assessment to determine which schools should be included in the monitoring sample.
7. The NDE may require corrective action of SB 178 schools if it is determined through the monitoring process that:
  - a. Schools are not using funds according to the allowable expenditures and interventions for eligible students as outlined in SB 178;
  - b. Schools are not using evidence-based programs and services as outlined in SB 178 Sec 9.4 and 9.5; or
  - c. Schools are not showing increases in student performance.
8. If implementation of the school corrective action plan does not resolve specific concerns, the NDE may recommend the State Board of Education consider withholding future SB 178 funds until concerns are resolved.

### Evaluation and Reporting

9. The Department shall contract with an independent evaluator to evaluate the effectiveness of programs and services provided. The evaluation must include:
  - a. A determination of whether each public school is making an effective use of the SB 178 money received;
  - b. An identification of which SB 178 programs and services offer the greatest and the least improvement to pupil performance.
  - c. The NDE will submit the independent evaluator report to the Legislative Committee on Education or the Director of the Legislative Counsel Bureau in accordance with SB 178 Section 11.4 requirements.
10. The Department shall conduct an RFP for an independent consultant who is qualified and knowledgeable on issues relating to the funding of public education to complete the requirements outlined in Section 14.
  - a. The independent consultant shall submit a preliminary report to the NDE on or before August 1, 2018 as outlined in Section 14.
  - b. Upon receipt of the independent consultant report, the NDE shall immediately submit the preliminary report from the independent consultant to the Legislative Committee on Education (LCE).
11. SEA will review LEA reports due November 30<sup>th</sup> of each year for potential concerns as indicated by the SB 178 SPP Addendum as part of the Risk Assessment process.

### **School Performance Plan Addendum**

SB 178 Schools must incorporate their strategies within their School Performance Plans (SPP) and complete the SB 178 SPP Addendum indicating the programs and services to be implemented that meet the needs of the pupils identified as eligible for SB 178 funding.

The SB 178 SPP Addendum serves as a working document for the school staff to participate in creating the goals, objectives, and action steps focused on raising achievement levels of the eligible students identified in SB 178. The goals, objectives, and action steps reflect the outcomes of the consultation meeting with staff, parents, legal guardians, and/or organizational teams. The plan must include the strategies and ESSA evidence-based intervention (EBI) levels within the action steps.

When choosing programs and services outlined in SB 178 Sections 9.4 and 9.5, schools must follow the ESSA evidence-based intervention (EBI) levels 1-3 indicated for particular strategies and EBI levels 1-4 indicated for alternate strategies. See page 5 for an overview of ESSA evidence-based intervention levels 1-4. See page 6 or pages 13-14 for SB178's allowable strategies that align with ESSA's EBI levels [*SB 178 Sec. 9.4 (a-e) and Sec. 9.5 (a-c)*].

### **Guidance to complete SB 178 SPP Addendum**

Please follow the guidance below to complete the SB 178 SPP Addendum (located in Appendix B). Please reach out to any of the NDE contacts for additional assistance.

**Part I. School Information Identification:** Complete the sections for name of district, school, and principal

- A. **School Staffing Information:** Complete this information based on the previous school year's staffing information. This information serves for reporting purposes and as a reflection process.
- B. **Consultation Meeting:**
  1. Record date of meeting
  2. Identify the type of consultation meeting that was held:
    - a) School Organizational Team (S.O.T.) meeting, or
    - b) Parent and Staff Meeting.
      1. Identify the percentage of parents at the meetings
      2. Identify the percentage of parents of the eligible students at the meetings.
  3. List, using numbers or bullets, the specific results of the meeting,
 

**For example, a school could write:**

    - Need to create 3 reading courses for EL and FRL identified students; purchase an EBI program for these courses; hire 1 additional teacher to implement the EBI program
    - Need to implement an RTI (Tier 2) system for EL and FRL identified students; need to implement an EBI program for the Tier 2 system

### **Part II.**

**School Data and 2-year Long-term Measurable Goals and Interim Measurable Objectives:**

This section serves as a reflection process for staff to discuss the data from the past two years

and determine growth targets they feel are achievable during the next two years. Staff should challenge themselves in this area to determine the best strategies for assisting eligible students to improve their academic performance levels.

**A. Required Data:** Please record data outcomes for the EL and FRL subgroups from the previous two years for the ELA and Math Assessment indicated for your grade level; high schools also need to provide graduation and ACT data.

**Optional Data:** Schools may provide data outcomes from the previous two years from one other source used to track student achievement.

**B. Establishing Long-term Goal:** Using the tables in Appendix A of the SB 178 Guidance Document for “Economically Disadvantaged” and “EL” students, please align and create a 2-year long-term measurable goal - one for each subgroup - in ELA and Math.

- ELA Example (Elementary): By the end of the 2018-19 school year, 48% of our economically disadvantaged third grade students will be proficient in reading as indicated on the Smarter Balance assessment.
- Math Example (Elementary): By the end of the 2018-2019 school year, 36% of our EL students will be proficient in math as indicated on the Smarter Balance assessment.

**\*The measurable goal will depend on your current assessment scores; goals can be higher than the percentages indicated in the tables. If needed, long-term goals can reflect 3 years in order to align with state approved goals.**

**C. Establishing Interim Measurable Objectives:** Create interim measurable objectives for the school year. Interim objectives break the long-term goal into smaller achievable goals as a means to measure the progress towards the long-term goals.

**Part III. Select SB 178 strategies to help your school meet your goals and objectives.** The strategies selected should align with the outcomes of the consultation meetings and reflect the needs of the eligible students.

- A. Select the strategies from Section(s) 9.4 and/or 9.5 to help meet the needs indicated from the consultation meetings. For each selected SB 178 intervention, place an X or a checkmark on the line.
- B. Identify the strategy implemented, estimated funds allocated for the strategy, and the estimated number of students or teachers participating in the strategy.

**Part IV. Action Steps:** List the action steps needed to implement the SB 178 interventions that will help meet the objectives and goals identified in the plan. It is recommended schools focus on implementing no more than four action steps per objective. Identify the evidence-based intervention level for programs and services indicated in each action step. If the EBI is level 4, the school must include a rationale for implementing a level 4 EBI (three to four sentences). For interventions that meet EBI levels 1-3, provide the citation of the research supporting the program or service to be implemented. NDE recommends the school and/or district retains the research studies.

**Action Step Example:** The example below demonstrates how an action step can be written.

Goal	Action Step Description
<p><b>EXAMPLE</b></p> <p>By the end of the 2017-18 school year, 40% of our economically disadvantaged third grade students will be proficient in reading.</p>	<p><b>Action Step 1:</b> Implement Reading Horizons program for tier 2 intervention students (strategy 9.4.b.3) EBI level 2</p> <p>Associated Costs:</p> <ul style="list-style-type: none"> <li>• Purchase all program elements including workbooks and manipulatives (9.4.b.3)</li> <li>• Employment of 2 paraprofessionals (9.4.b.4)</li> <li>• Additional leveled books (9.4.b.3)</li> </ul> <p>Citation: <a href="#">Reading Horizons Research-Based Reading Instructions</a></p> <p>Rationale: A rationale only needs to be provided for programs and services within an SB 178 strategy aligned with evidence-based level 4.</p> <p><b>Action Step 2:</b> <i>(you can have more than one action step per goal; it is recommended you do not exceed 4 action steps)</i></p>

## Part V.

**Coordinated Funding:** Schools are encouraged to list funding streams to maximize strategic leveraging of all funding to meet the needs of the students and improve student outcomes at a faster and sustainable rate. Create a bulleted list of funding streams and how they are applied to support EL and FRL students.

## Mandated Activities and/or Services

A public school receiving funds from SB 178 must use the money only on programs or services that are evidence-based [SB 178 Sec 9.3]. 20 U.S.C. Section 8101(21)(A) defines evidence-based interventions as supported by strong evidence, moderate evidence, promising evidence, or evidence that demonstrates a rationale. The required level of ESSA evidence-based intervention level is highlighted with each allowable SB 178 strategy below:

Participating schools shall use **90% or more** of the money to provide one or more of the following programs or services (see page 6 for the table format):

- a. Extended learning opportunities, including (*ESSA Tiers 1-4*):
  1. summer academy (*ESSA Tiers 1-4*);
  2. intersession academy (*ESSA Tiers 1-4*);
  3. program which provides learning opportunities for children before or after school (*ESSA Tiers 1-4*);
  4. an extended day (*ESSA Tiers 1-4*); or
  5. a learning opportunity delivered at another time when school is not in session (*ESSA Tiers 1-4*)

- b. Academic interventions such as:
  - 1. a reading or literacy center (*ESSA Tiers 1-4*)
  - 2. the administration of a common, valid and reliable formative and summative assessment aligned to statewide standard and allows for comparisons between schools (*ESSA Tiers 1-4*)
  - 3. the implementation of relevant curriculum or software supported by evidence (*ESSA Tiers 1-3*);
  - 4. the hiring of personnel to implement an academic intervention (*ESSA Tiers 1-3*)
- c. Early childhood education, including a prekindergarten program meeting the standard and for quality established by the department (*ESSA Tiers 1-4*).
- d. Any other strategy designed by the public school and approved by the NDE (*ESSA Tiers 1-4*).
- e. In addition to one or more of the services described in 1 through 4, strategies to respond to the needs of the school and its pupils and their families identified by the public school including:
  - 1. program and services designed to engage parents and families (*ESSA Tiers 1-4*);
  - 2. programs to improve school climate and culture (*ESSA Tiers 1-4*); or
  - 3. the provision of social, psychological or health care services to pupils and their families including counseling or wrap-around services (*ESSA Tiers 1-4*) [*SB 178 Sec 9.4 a-e*].

A public school that receives money of SB 178 **may not use more than 10% of the money** to provide support for teachers and other licensed educational personnel, which may include:

- a. Professional development that is supported by evidence as described in 20 U.S.C. Subsection 7801(21)(A)(i) need to explain this subsection; (*ESSA Tiers 1-3*).
- b. Reimbursement for the coursework required to obtain an endorsement relating to English Language acquisition and development for teachers or other licensed educational personnel who serve pupils who are English learners (*ESSA Tiers 1-4*); or
- c. Retention incentives for teachers or other licensed educational personnel who serve pupils who are English learners and have obtained a TESL/ELAD endorsement (*ESSA Tiers 1-4*).

### **Other Allowable Activities and/or Services**

There are no other allowable activities or services for SB 178 at this time.

### **Fiscal**

#### **School Allocations**

On or before July 1 of each year, the Department shall determine allocations to distribute to school districts by beginning with all public schools receiving the lowest rating possible indicating underperformance of a public school, as determined by the Department pursuant to the

statewide system of accountability for public schools. The Department will then proceed through each category of all public schools that received the immediately higher rating, until not all public schools within a category could be funded. Each category of public school for which the Department could provide a per pupil allocation of \$1,200 from the Account for the New Nevada Education Funding Plan for the upcoming school year for each pupil identified who is enrolled at each public school in the category will then receiving funding. If the Department determines that one or more categories of public schools could not be fully funded in this way, the department shall rank each public school within the lowest category of public schools that could not be fully funded by the highest number of pupils identified and who are enrolled at each such public school [SB 178 Sec 8.1 (a-d); Sec 8.2; Sec 8.3].

On or before July 15 of each year the Department will transfer money from the Account for the New Nevada Education Funding Plan to the Board of trustees of each school district and each sponsor of a charter school on a per pupil basis as follows:

- a. First for each public school identified as capable of being fully funded which is located in the school district or sponsored by the sponsor, as applicable, an amount of \$1,200 per pupil identified who is enrolled sty the public school; and
- b. Second, beginning with the highest ranked public school and until the money in the Account for the New Nevada Education Funding plan is exhausted an amount of \$1,200 per pupil identified who is enrolled at public school [SB 178 Sec 8.2-4(a-b)].

**\* Please refer to the May, 2018 Guidance Memo for the updated list of SB 178 eligible districts and schools for the 2018-2019 school year.**

### **Use of Funds & Carryover**

A public school receiving the SB 178 grant must use the funds to provide evidence-based programs and services as outlined in subsections 9.4 and 9.5 for eligible students as identified in section 8. Public schools may, if the money creates the capacity, serve additional pupils, and provide the programs and services described in subsections 9.4 and 9.5 to pupils enrolled at the public school who scored at or below the 25<sup>th</sup> percentile on an assessment of pupil proficiency [SB 178 Sec 9.6(a-b)].

A public school shall ensure that the SB 178 funds, which are used to provide services to English Learners, comply with district-approved English learner plans [SB 178 Sec 9.7].

All remaining balances of funds from the 2017-18 fiscal year will not be carried over, and will revert to the Account for the New Nevada Education Funding Plan. All SB 178 funds for the 2018-19 fiscal year must not be committed for expenditure after June 30, 2019. All remaining funds must be reverted to the State General Fund on or before September 20, 2019 [SB 178 Sec 7.3(a-c)].

### **Application Process**

Funding is awarded based on the criteria outlined in SB 178. Although SB 178 funds are not competitive, eligible districts and schools must follow the guidelines in the SB 178 education initiative and this guidance document. Schools receiving SB 178 funds will submit their SB 178 SPP Addendum and School level General State Grant Assurances document to the district.

Districts will review and approve each school's SB 178 SPP Addendum and School level General State Grant Assurances document. Districts will submit their schools SB 178 Addendum Checklists and District level General State Grant Assurances document by November 20, 2017 and August 30, 2018.

### **Unique Fiscal Requirements**

SB 178 funds may only be used for public schools and public education. The program funds for SB 178 grant are transferred from the General Fund under the Account for the New Nevada Education Funding Plan to the LEAs special revenue fund account. Each district or charter school receiving SB 178 funds is to establish a special revenue fund in which the money will be deposited. The LEA will disburse money in the special revenue fund to the public schools in accordance with SB 178 section 8. These funds:

1. Must be used only as provided in SB 178 section 9;
2. Are not to be commingled with money from other sources;
3. Will remain in the special revenue fund at the end of a fiscal year and will revert to the Account of the New Nevada Education Funding Plan;
4. Must not be used to settle or arbitrate disputes between a recognized organization representing employees of the school district or the governing body of the charter school;
5. Must not be used to settle any negotiations or to adjust the schedules of salaries and benefits of the employees of a school district or charter school [*SB 178 Sec 7.2; Sec 7.3 (a-c)*].

### ***Assessment***

In accordance with Section 10 of SB 178, to determine the proficiency of eligible students, schools must ensure that all students participate in the assessments listed below. The Department will review the proficiency results of the assessments to determine eligible students:

- For an English Learner in any grade, the assessment of proficiency in the English language (currently WIDA ACCESS 2.0 or WIDA Alt-ACCESS);
- In Kindergarten, grades 1 and 2 Measures of Academic Progress (MAP);
- In grade 3, 4, 5, 6, 7, and 8 the assessment of reading and mathematics achievement (currently SBAC);
- In grade 9 and 10, the end-of-course examination required for mathematics;
- In grade 11 and 12, the college and career readiness assessment.

### ***Data Collection and Reporting***

#### **Schools**

Schools must submit an annual report to the local board of trustees [*SB 178 Sec 11.2*]. For the November 30, 2017 report, schools are to submit the SB 178 SPP Addendum. Starting in 2018, the report must include:

- a. The measurable objectives and performance targets prescribed by the Department of Education to measure the effectiveness of the public school in providing SB 178 programs and services.
- b. Information for the preceding school year, including relevant data regarding the number of students served, costs, and outcome measures for each intervention, program, or services provided with SB 178 funds.

### **Local Education Agencies**

LEA will submit school reports to SEA by November 30<sup>th</sup> of each year:

- a. LEA will establish a due date for schools to turn in a report to the district, measuring the effectiveness of the school in providing services pursuant to section 9 [SB 178 Sec 11.2].
- b. Although the report should contain information from the preceding school year [SB 178 Sec 11.3], for the November 30, 2017 report, LEAs are to submit the SB 178 SPP Addendum for each participating school.
- c. Starting in 2018, the report must include:
  - i. The measurable objectives and performance targets prescribed by the Department of Education to measure the effectiveness of the public school in providing SB 178 programs and services.
  - ii. Information for the preceding school year, including relevant data regarding the number of students served, costs, and outcome measures for each intervention, program, or services provided with SB 178 funds.

### **State Education Agency**

1. The Department shall contract with an independent evaluator to evaluate the effectiveness of programs and services provided. The evaluation must include:
  - a. A determination of whether each public school is making an effective use of the SB 178 money received;
  - b. An identification of which SB 178 programs and services offer the greatest and the least improvement to pupil performance.
  - c. The NDE will submit the independent evaluator report to the Legislative Committee on Education or the Director of the Legislative Counsel Bureau in accordance with SB 178 Section 11.4 requirements.
2. The Department shall conduct an RFP for an independent consultant who is qualified and knowledgeable on issues relating to the funding of public education to complete the requirements outlined in Section 14.
  - a. The independent consultant shall submit a preliminary report to the NDE on or before August 1, 2018 as outlined in Section 14.
  - b. Upon receipt of the independent consultant report, the NDE shall immediately submit the preliminary report from the independent consultant to the Legislative Committee on Education (LCE).
3. SEA will review LEA reports due November 30<sup>th</sup> of each year for potential concerns as indicated by the SB 178 SPP Addendum Checklist as part of the Risk Assessment process.

### ***Monitoring***

The NDE will conduct annual monitoring to ensure that SB 178 funds are used as prescribed by law and that schools are implementing evidence-based practices that result in improved student achievement. If during a risk analysis or the monitoring process, NDE determines there are concerns that SB 178 funds are being used in a way not allowable as indicated in the Senate Bill, then NDE will partner with the Audit Department to conduct an audit of SB 178 funds.

Depending on the results of the audit, there could be circumstances where the school might have to return the funds.

1. SEA will monitor a sample of the SB 178 schools each year. Procedures may include desktop and/or on-site monitoring.
2. SEA will conduct a Risk Assessment to determine which schools should be included in the monitoring sample.
3. The NDE may require corrective action of SB 178 schools if it is determined through the monitoring process that:
  - a. Schools are not using funds in accordance with the allowable interventions for eligible students as outlined in SB 178;
  - b. Schools are not using evidence-based programs and services as outlined in SB 178 Sec 9.4 and 9.5; or
  - c. Schools are not demonstrating increases in student performance for those students eligible for SB 178.
4. If implementation of the school corrective action plan does not resolve specific concerns, the NDE may recommend that the State Board of Education consider withholding future SB 178 funds until concerns are resolved.

### **Corrective Action**

The Nevada Department of Education will implement the following procedure for corrective action:

1. Identify SB 178 Schools that have not produced an increase in student performance, have not met state long-term goals and measures of interim progress, or are not making progress toward state goals.
2. Provide formal notification to the school and district.
3. Require a revision of the school plan to implement a partnership with an evidence-based support provider, and other evidence-based strategies, programs, and services.
4. NDE is to review/approve revised school plans.
5. Monitor implementation of school plan. If implementation of the school plan is unsatisfactory, the state may impose corrective action, including the possibility of withholding future SB 178 funds.

### ***Contacts***

#### **SB 178 NEVADA DEPARTMENT OF EDUCATION CONTACTS**

<b>Name</b>	<b>Title</b>	<b>Contact Information</b>
Susan Ulrey, Ed.D.	Education Programs Professional, Victory Programs and Services	702-668-4349 sulrey@doe.nv.gov

Name	Title	Contact Information
Blakely Hume	Education Programs Professional, Zoom Programs and Services	775-687-9212 bhume@doe.nv.gov
Karl Wilson	Assistant Director of Education Programs Supervisor, Office of Student and School Supports	702-668-4311 karlwilson@doe.nv.gov
Seng-Dao Yang Keo, Ed.L.D	Director, Office of Student and School Supports	702-775-9145 skeo@doe.nv.gov

**Appendix A: Statewide Performance Levels and Outcome Indicators  
Long-term Goals and Measures of Interim Progress:**

Elementary – SBAC ELA

ELA Elementary	2016	2017	2018	2019	2020	2021	2022
All Students	49.9%	52.4%	54.7%	57.0%	59.5%	61.2%	63.1%
Economically Disadvantaged	37.9%	41.0%	44.0%	46.8%	49.4%	51.9%	54.4%
English Learners	31.7%	35.1%	38.4%	41.4%	44.4%	47.2%	49.8%

Elementary – SBAC Math

Math Elementary	2016	2017	2018	2019	2020	2021	2022
All Students	39.9%	42.9%	45.8%	48.5%	51.1%	53.5%	55.8%
Economically Disadvantaged	28.8%	32.4%	35.7%	39.0%	42.0%	44.9%	47.7%
English Learners	25.1%	28.8%	32.4%	35.8%	39.0%	42.0%	44.9%

Middle School – SBAC ELA

ELA Middle School	2016	2017	2018	2019	2020	2021	2022
All Students	46.4%	49.1%	51.7%	54.1%	56.4%	58.6%	60.6%
Economically Disadvantaged	35.1%	38.3%	41.4%	44.4%	47.1%	49.8%	52.3%
English Learners	11.7%	16.1%	20.3%	24.3%	28.1%	31.7%	35.1%

Middle School – SBAC Math

Math Middle School	2016	2017	2018	2019	2020	2021	2022
All Students	26.0%	29.7%	33.2%	36.5%	39.7%	42.7%	45.6%
Economically Disadvantaged	17.4%	21.5%	25.5%	29.2%	32.7%	36.1%	39.3%
English Learners	6.9%	11.6%	16.0%	20.2%	24.2%	28.0%	31.6%

High School – End-of-Course ELA 1

ELA 1 High School	2016	2017	2018	2019	2020	2021	2022
All Students	68.5%	70.1%	71.6%	73.0%	74.3%	75.6%	76.8%
Economically Disadvantaged	60.7%	62.7%	64.5%	66.3%	68.0%	69.6%	71.1%
English Learners	36.9%	40.1%	43.1%	45.9%	48.6%	51.2%	53.6%

High School – End-of-Course Math 1/Int. 1

Math 1/Int.1 High School	2016	2017	2018	2019	2020	2021	2022
All Students	74.5%	75.8%	77.0%	78.1%	79.2%	80.0%	81.3%
Economically Disadvantaged	67.7%	69.3%	70.8%	72.3%	73.7%	75.0%	76.2%
English Learners	59.5%	61.5%	63.4%	65.2%	67.0%	68.6%	70.2%

## High School – End-of-Course ELA 2

ELA 2 High School	2016	2017	2018	2019	2020	2021	2022
All Students	68.6%	70.2%	71.7%	73.1%	74.4%	75.7%	76.9%
Economically Disadvantaged	58.7%	60.8%	62.7%	64.6%	66.4%	68.0%	69.6%
English Learners	29.4%	32.9%	36.3%	39.5%	42.5%	45.4%	48.1%

## High School – End-of-Course Math 2/Int. 2

Math 2/Int.2 High School	2016	2017	2018	2019	2020	2021	2022
All Students	34.0%	37.3%	40.4%	43.4%	46.2%	48.9%	51.5%
Economically Disadvantaged	23.5%	27.3%	31.0%	34.4%	37.7%	40.8%	43.8%
English Learners	8.6%	13.2%	17.5%	21.6%	25.6%	29.3%	32.8%

**Appendix B: SB 178 School Performance Plan – Addendum**

SB 178 School Performance Plan - Addendum

Nevada Department of Education

**\*Students in this plan refer to Economically Disadvantaged Students and EL students scoring in the 25<sup>th</sup> percentile**

**Part I. School Information**

Name of District	Name of School	Name of Principal

**A. School Staffing Information from previous year:**

Vacancies FT Licensed educational personnel	Probationary licensed educational personnel	Substitute teachers for 20 or more consecutive days (long-term substitutes)
# of:	# of:	# of:
% of:	% of:	% of:

**B. Consultation meeting with parents, legal guardians, or organization team to determine needs of students and preferred services for identified students; must be completed before funds can be used.**

1. Date of Meeting:
2. Type of Consultation Meeting: a. School Organizational Team (S.O.T.) Yes___ No___  b. Parent and Staff Meeting: Yes___ No___  1. Percentage of parents at this S.O.T. meeting:  2. Percentage of parents of the eligible students at this S.O.T. meeting:
3. Results of the meeting:

**Part II. School Data and Long-term Measurable Goals and Interim Measurable Objectives**

- A. Please record data outcomes for the EL and FRL subgroups from the previous two years for the ELA and Math Assessment indicated for your grade level below; high schools also need to complete graduation and ACT data for the EL and FRL subgroups.
- B. Using the tables in Appendix A of the SB 178 Guidance Document for “Economically Disadvantaged” and “EL” students, please align and create a long-term measurable goal - one for each subgroup - in ELA and Math.
  - o ELA Example (Elementary): By the end of the 2018-19 school year, 48% of our economically disadvantaged third grade students will be proficient in reading as indicated on the Smarter Balance assessment.

- Math Example (Elementary): By the end of the 2018-2019 school year, 36% of our EL students will be proficient in math as indicated on the Smarter Balance assessment.

**\*The measurable goal will depend on your current assessment scores; goals can be higher than the percentages indicated in the tables. If needed, long-term goals can reflect 3 years in order to align with state approved goals.**

C. Create interim measurable objectives for the 2018-2019 school year. Interim objectives break the long-term goal into smaller achievable goals as a means to measure the progress towards the long-term goals. Follow the same format of the examples provided above, breaking down the long-term goals.

**A. Data from the previous two years**

Grade Level	Assessment Data for EL and FRL subgroups
Elementary	2015-2016 Smarter Balanced Assessment data for ELA and Math:  2016-2017 Smarter Balanced Assessment data for ELA and Math:
Middle School	2015-2016 Smarter Balanced Assessment data for ELA and Math:  2016-2017 Smarter Balanced Assessment data for ELA and Math:
High School	2016-2017 EOC ELA data: 2016-2017 EOC Math data:  2013-2014 Graduation rate: 2014-2015 Graduation rate: 2015-2016 Graduation rate:  2015-2016 ACT data: 2016-2017 ACT data:

**B. Long-term Measurable Goals 2018-2019**

<b>Student Subgroup</b>	<b>School Long-term Goals</b>
ELA Economically Disadvantaged Students	
ELA EL Students	
Math Economically Disadvantaged Students	
Math EL Students	

**C. Interim Measurable Objectives**

<b>School Year and Subgroup</b>	<b>Interim Measurable Objective</b>
<b>2018-2019</b> ELA measurable objective for Economically Disadvantaged students and EL students	1. 2.
<b>2018-2019</b> Math measurable objective for Economically Disadvantaged students and EL students	1. 2.

**Part III.****A. Select SB 178 strategies to help your school meet the needs indicated from the consultation meetings.****(SB 178 section 9.4 & 9.5)****Sec 9.4 (shall use 90% or more of the funds)**

a. \_\_\_\_\_ Extended learning opportunities (EBI levels 1-4)

- \_\_\_\_\_ 1. Summer Academy
- \_\_\_\_\_ 2. Intersession academy
- \_\_\_\_\_ 3. Program providing learning opportunities for children before or after school
- \_\_\_\_\_ 4. An extended school day
- \_\_\_\_\_ 5. Learning opportunity delivered at another time when school is not in session

b. \_\_\_\_\_ Academic interventions

- \_\_\_\_\_ 1. A reading or literacy center **(EBI levels 1-4)**
- \_\_\_\_\_ 2. Administration of a common, valid and reliable formative and summative assessment which is aligned to statewide standards and allows for comparisons between schools **(EBI levels 1-4)**
- \_\_\_\_\_ 3. Implementation of relevant curriculum or software which is supported by **EBI levels 1-3**, which may include, a course of instruction in college and career readiness
- \_\_\_\_\_ 4. The hiring of personnel to implement an academic intervention supported by **EBI levels 1-3**.

c. \_\_\_\_\_ Early childhood interventions, including, without limitation, a prekindergarten program that meets the standards for quality established by the Department.

d. \_\_\_\_\_ Any other strategy designed by the public school and approved by the Department.

e. \_\_\_\_\_ Additional supporting services necessary to adequately support services described in a-d:

- \_\_\_\_\_ 1. Parent and family engagement programs and services
- \_\_\_\_\_ 2. School climate and culture programs
- \_\_\_\_\_ 3. Social, psychological, or health care services to pupils and their families, including, but not limited to, counseling and wrap-around services.

**§ 9.5 (may not use more than 10% of funds)**

\_\_\_\_\_ a. Professional development supported by evidence-based intervention levels 1 – 3.

\_\_\_\_\_ b. Reimbursement for coursework required to obtain endorsement relating to English language acquisition and development for teachers and other licensed educational personnel serving EL students.

\_\_\_\_\_ c. Retention incentives for teachers or other licensed educational personnel serving EL students and have obtained endorsement

**Part III.**

**B. Identify Strategy Implemented, Funds Allocated, and Students or Teachers Participating in the Strategy.**

Identify Strategy Implemented from Section 9.4					
Funds Allocated for the Strategy					
Estimated Number of Students Participating in the Strategy					

Identify Strategy Implemented from Section 9.5			
Funds Allocated for the Strategy			
Estimated Number of Teachers Participating in the Strategy			

**Part IV. Action Steps**

- State the action steps you will take to meet long-term goals and measurable objectives
  - Include SB 178 strategy
  - Include programs and services meeting ESSA EBI tiers 1-4
  - Include all associated costs to meet the strategy
  - Include the citation of the research for the programs and/or services (in APA or MLA)

Goal	Action Step Description
<p><b>EXAMPLE</b></p> <p>By the end of the 2017-18 school year, 40% of our economically disadvantaged third grade students will be proficient in reading.</p>	<p><b>Action Step 1:</b> Implement Reading Horizons program for tier 2 intervention students (strategy 9.4.b.3) EBI level 2</p> <p>Associated Costs:</p> <ul style="list-style-type: none"> <li>• Purchase all program elements including workbooks and manipulatives (9.4.b.3)</li> <li>• Employment of 2 paraprofessionals (9.4.b.4)</li> <li>• Additional leveled books (9.4.b.3)</li> </ul> <p>Citation: <a href="https://www.readinghorizons.com/results/research-based-reading-program">https://www.readinghorizons.com/results/research-based-reading-program</a></p> <p>Rationale: A rationale only needs to be provided for programs and services within an SB 178 strategy aligned with evidence-based level 4.</p> <p><b>Action Step 2: (you can have more than one action step per goal; it is recommended you do not exceed 4 action steps)</b></p>

**Part V. Coordinated Funding.** Schools are encouraged to list funding streams to maximize strategic leveraging of all funding to meet the needs of the students and improve student outcomes at a faster and sustainable rate. Create a bulleted list of funding streams and how they are applied to support EL and FRL students.

<b>Coordinated Funding</b>

## **Appendix C: School Level SB 178 State Grant Assurances**

NEVADA DEPARTMENT OF EDUCATION

GENERAL INFORMATION

NAME OF DISTRICT/AGENCY:

NAME OF SCHOOL:

FISCAL YEAR:

GRANT/PROGRAM NAME: **SB 178**

APPLICATION CERTIFICATION

I hereby certify that, to the best of my knowledge, the information in this application is correct.

### **SUBGRANTEE ASSURANCES**

The SUBGRANTEE assures, if awarded a grant, subgrant, or contract:

The State Agency shall hold all SUBGRANTEES to the provisions within the applicable Nevada Revised Statute (NRS) that govern the funds passed through the STATE Agency to the SUBGRANTEE.

### **SPECIFIC SB 178 PROGRAM ASSURANCES:**

- A. The SB 178 school has completed the planning process, including mandatory consultation meetings.
- B. The SB 178 school ensures funds will only be used for the allowable purposes defined in Sections 9.4 and 9.5.
- C. The SB 178 school verifies the programs, services, and strategies implemented with funds will meet the evidence-based intervention criteria as indicted in SB 178.

### **STATE REGULATIONS**

Shall hold the SUBGRANTEE to the provisions established by the STATE AGENCY which govern the funds and program:

#### **1. ASSUMES RESPONSIBILITY**

The SUBGRANTEE assumes full responsibility for the overall program which includes: fiscal administration, timely submission of required reports, program management including personnel, and meeting the goals and objectives in the approved grant application.

**2. AGREES TO FULLY COMPLY**

The SUBGRANTEE agrees to fully comply with the evaluation team that will evaluate the effectiveness of this grant. Noncompliance may affect the SUBGRANTEE'S eligibility in future sub-awards from NDE or result in forfeiture of remaining funds.

**3. AGREES TO DEOBLIGATION**

The SUBGRANTEE agrees that any funds not committed for expenditures by the end of the grant cycle will be deobligated to State general fund with the Annual Financial Report.

**4. WILL SUBMIT FINAL FINANCIALS**

The SUBGRANTEE will submit the Final Financials to the Nevada Department of Education (NDE) within 30 days or less from the end of the grant cycle. Noncompliance will result in ineligibility for future sub-grant cycles.

**5. BUDGET REQUESTS MADE IN WRITING AND APPROVED**

All requests for budget amendments must be made in writing and approved by the Local Education Agency prior to expenditure of funds.

**6. AGREES TO COMPLY WITH NDE REQUIREMENTS**

That the SUBGRANTEE agrees to comply with NDE's requirement to submit supporting source documentation with reimbursement requests which will ensure that all costs charged to state grants are allowable.

**7. DOCUMENTS CLEAR AND READILY AVAILABLE**

The documentation for all transactions, controls and other significant events must be clear and readily available for examination upon request. All documentation such as invoices or contracts, etc. should be maintained at the SUBGRANTEE's principal place of business. If they are not, the SUBGRANTEE must bear the cost of making original documents available for examination by the State.

**8. TEACHERS AND INSTRUCTIONAL AIDES SHALL BE CERTIFIED**

Personnel employed as teachers and instructional aides by the SUBGRANTEE or personnel contracted to provide such service to the SUBGRANTEE shall be certified pursuant to the provisions of NRS 386.590 (as amended by Senate Bill 509 of the 2015 Session of the Nevada Legislature, Chapter 238, Statutes of Nevada (2015)).

**9. MAINTAIN EFFECTIVE CONTROL AND ACCOUNTABILITY**

The SUBGRANTEE shall maintain effective control and accountability for all grant funds, property, and other assets. Good internal control necessitates that fiscal responsibilities be clearly established. Accounting functions should be separated to the fullest extent possible so that no one person authorizes, executes, and approves the same transactions. Policies covering personnel and accounting procedures and separation of duties must be documented in a policies and procedures manual or other similar document.

## **10. MAINTAIN CONTINUING RESPONSIBILITY**

The SUBGRANTEE must maintain continuing responsibility for the overall program. This includes the establishment of written policies and procedures for program operations. The following areas must not be delegated to subrecipients or persons who are not employees or officials of the SUBGRANTEE organization:

- a. Being informed of and accountable for all program income and expenditures;
- b. Performance of timely written evaluations of the program, and monitoring of established goals and objectives as written in the program's grant award;
- c. Financial reports and all other reports required by NDE including monthly Requests for Funds, required quarterly progress reports and final program reports (as applicable);
- d. Administration of the program in accordance with each agency's administrative practice.

## **11. IMMEDIATE NOTIFICATION ON LEGAL ACTION OR NEGATIVE PUBLICITY**

SUBGRANTEES must notify the Education Programs Professional immediately regarding any legal action or negative publicity related to grant-funded events, activities, services, purchases, or outreach.

## **12. COMPLIANCE OF SUBRECIPIENTS**

All instructions, requirements, rules and regulations for grants administered through the SUBGRANTEE are applicable to subgrantees, contracts or other mechanisms passing on these funds. It is the responsibility of the SUBGRANTEE to ensure compliance of subrecipients through monitoring, reporting, site visits, fiscal reviews or other means. NDE may implement probationary measures with the SUBGRANTEE for noncompliance.

## **13. INDIRECT COSTS**

Indirect costs are not allowed on State grants or contracts to school districts, or charter schools. All non-profit organizations, NSHE or other entities, which are funded in whole or in any part with State funds, must submit a copy of their approved Indirect Cost Rate Request to receive indirect funds prior to award.

## **14. DISPUTING A DECISION**

Decisions made by Education Program Professionals must be based on the grant agreements, approved budgets, grant assurance, written program policies and procedures, and written fiscal policies and procedures including those in the State Administrative Manual (SAM) and in any Nevada Revised Statute or state regulations and guidance that apply to the funding source. If a SUBGRANTEE disagrees with a decision, the SUBGRANTEE has the option to dispute the decision by taking the following steps:

- a. Request in writing that the Education Programs Professional provide:
  1. Documentation upon which a decision is based. Written response will be made within seven (7) working days.
  2. If the disagreement is still unresolved, request in writing that the matter be reviewed by the NDE Program Director, whose decision will be final and will not be open to further discussion or challenge.

- 3. All interactions will be conducted with honesty, courtesy, and respect. It is essential that a professional relationship be maintained in order to properly administer the grant and provide effective services in the community.
- 4. Conduct that interferes with the administration of the grant or negatively impacts the ability to provide effective program services may result in termination of the grant after NDE carefully reviews the circumstances.
- 5. Timeliness of report submission will be tracked and noted in the grant file. Any extensions or exceptions to requirements must also be noted in the grant file.

Failure to comply with the terms and conditions detailed above may result in the loss of state funds and may be considered grounds for the suspension or termination of this grant.

\_\_\_\_\_  
Signature of Principal

\_\_\_\_\_  
Print Name of Principal

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of School

\_\_\_\_\_  
Signature of District Representative Assisting in the  
Development of the SB 178 SPP Addendum

\_\_\_\_\_  
Print Name of District Representative Assisting in the  
Development of the SB 178 SPP Addendum

\_\_\_\_\_  
District/Organization

## **Appendix D: District Level State Grant Assurances**

### NEVADA DEPARTMENT OF EDUCATION GENERAL STATE GRANT ASSURANCES

#### **GENERAL INFORMATION**

NAME OF DISTRICT/AGENCY:

FISCAL YEAR:

GRANT/PROGRAM NAME: SB 178

#### **APPLICATION CERTIFICATION**

I hereby certify that, to the best of my knowledge, the information in this application is correct.

#### **SUBGRANTEE ASSURANCES**

The SUBGRANTEE assures, if awarded a grant, subgrant, or contract:

The State Agency shall hold all SUBGRANTEES to the provisions within the applicable Nevada Revised Statute (NRS) that govern the funds passed through the STATE Agency to the SUBGRANTEE.

#### **SPECIFIC SB 178 PROGRAM ASSURANCES:**

- A. The LEA has reviewed and approved each school's SB 178 SPP Addendum.
- B. The LEA has verified that each SB 178 school has completed the planning process, including mandatory consultation meetings.
- C. The LEA has ensured that SB 178 funds will only be used for the allowable purposes defined in Sections 9.4 and 9.5.
- D. The LEA has verified the programs, services, and strategies implemented with funds will meet the evidence-based intervention criteria as indicted in SB 178.

#### **STATE REGULATIONS**

Shall hold the SUBGRANTEE to the provisions established by the STATE AGENCY which govern the funds and program:

##### **1. ASSUMES RESPONSIBILITY**

The SUBGRANTEE assumes full responsibility for the overall program which includes: fiscal administration, timely submission of required reports, program management including personnel, and meeting the goals and objectives in the approved grant application.

##### **2. AGREES TO FULLY COMPLY**

The SUBGRANTEE agrees to fully comply with the evaluation team that will evaluate the effectiveness of this grant. Noncompliance may affect the SUBGRANTEE'S eligibility in future sub-awards from NDE or result in forfeiture of remaining funds.

##### **3. AGREES TO DEOBLIGATION**

The SUBGRANTEE agrees that any funds not committed for expenditures by the end of the grant cycle will be deobligated to State general fund with the Annual Financial Report.

**4. WILL SUBMIT FINAL FINANCIALS**

The SUBGRANTEE will submit the Final Financials to the Nevada Department of Education (NDE) within 30 days or less from the end of the grant cycle. Noncompliance will result in ineligibility for future sub-grant cycles.

**5. BUDGET REQUESTS MADE IN WRITING AND APPROVED**

All requests for budget amendments must be made in writing and approved by the Local Education Agency prior to expenditure of funds.

**6. REIMBURSEMENT REQUESTS**

Monthly requests for reimbursement are due to the NDE by the 15th of the month for the previous month of services.

**7. AGREES TO COMPLY WITH NDE REQUIREMENTS**

That the SUBGRANTEE agrees to comply with NDE's requirement to submit supporting source documentation with reimbursement requests which will ensure that all costs charged to state grants are allowable.

**8. DOCUMENTS CLEAR AND READILY AVAILABLE**

The documentation for all transactions, controls and other significant events must be clear and readily available for examination upon request. All documentation such as invoices or contracts, etc. should be maintained at the SUBGRANTEE's principal place of business. If they are not, the SUBGRANTEE must bear the cost of making original documents available for examination by the State.

**9. TEACHERS AND INSTRUCTIONAL AIDES SHALL BE CERTIFIED**

Personnel employed as teachers and instructional aides by the SUBGRANTEE or personnel contracted to provide such service to the SUBGRANTEE shall be certified pursuant to the provisions of NRS 386.590 (as amended by Senate Bill 509 of the 2015 Session of the Nevada Legislature, Chapter 238, Statutes of Nevada (2015)).

**10. MAINTAIN EFFECTIVE CONTROL AND ACCOUNTABILITY**

The SUBGRANTEE shall maintain effective control and accountability for all grant funds, property, and other assets. Good internal control necessitates that fiscal responsibilities be clearly established. Accounting functions should be separated to the fullest extent possible so that no one person authorizes, executes, and approves the same transactions. Policies covering personnel and accounting procedures and separation of duties must be documented in a policies and procedures manual or other similar document.

## **11. MAINTAIN CONTINUING RESPONSIBILITY**

The SUBGRANTEE must maintain continuing responsibility for the overall program. This includes the establishment of written policies and procedures for program operations. The following areas must not be delegated to subrecipients or persons who are not employees or officials of the SUBGRANTEE organization:

- a. Being informed of and accountable for all program income and expenditures;
- b. Performance of timely written evaluations of the program, and monitoring of established goals and objectives as written in the program's grant award;
- c. Financial reports and all other reports required by NDE including monthly Requests for Funds, required quarterly progress reports and final program reports (as applicable);
- d. Administration of the program in accordance with each agency's administrative practice.

## **12. ROLES AND RESPONSIBILITIES CLEARLY DEFINED**

If the SUBGRANTEE decides to establish a policy-making body (or is required either by law or by funding source to establish such a body), its roles and responsibilities must be clearly defined. This must be approved by the Program Director.

## **13. DEVIATION FROM SCOPE OF WORK/GOALS AND OBJECTIVES**

Any activities that deviate from the scope of work/goals and objectives identified in the grant agreement must receive prior written approval from the Education Programs Professional and may require an amendment to the grant agreement.

## **14. IMMEDIATE NOTIFICATION ON LEGAL ACTION OR NEGATIVE PUBLICITY**

SUBGRANTEES must notify the Education Programs Professional immediately regarding any legal action or negative publicity related to grant-funded events, activities, services, purchases, or outreach.

## **15. COMPLIANCE OF SUBRECIPIENTS**

All instructions, requirements, rules and regulations for grants administered through the SUBGRANTEE are applicable to subgrantees, contracts or other mechanisms passing on these funds. It is the responsibility of the SUBGRANTEE to ensure compliance of subrecipients through monitoring, reporting, site visits, fiscal reviews or other means. NDE may implement probationary measures with the SUBGRANTEE for noncompliance.

## **16. INDIRECT COSTS**

Indirect costs are not allowed on State grants or contracts to school districts, or charter schools. All non-profit organizations, NSHE or other entities, which are funded in whole or in any part with State funds, must submit a copy of their approved Indirect Cost Rate Request to receive indirect funds prior to award.

**17. EXCLUDED PARTIES LIST**

No organization may participate in the grant-funded project in any capacity or be a recipient of state funds designated for this project if the organization has been debarred or suspended or otherwise found to be ineligible for participation in federal assistance programs under Executive Order 12549, “Debarment and Suspension” (se 45 CFR 92.35). Prior to issuing subawards or contracts under this grant, the SUBGRANTEE must consult the Excluded Parties List System to ensure that organizations under funding consideration are not ineligible. The list may be accessed online through the System for Award Management (SAM) at [www.sam.gov](http://www.sam.gov).

**18. DISPUTING A DECISION**

Decisions made by Education Program Professionals must be based on the grant agreements, approved budgets, grant assurance, written program policies and procedures, and written fiscal policies and procedures including those in the State Administrative Manual (SAM) and in any Nevada Revised Statute or state regulations and guidance that apply to the funding source. If a SUBGRANTEE disagrees with a decision, the SUBGRANTEE has the option to dispute the decision by taking the following steps:

- a. Request in writing that the Education Programs Professional provide:
  1. Documentation upon which a decision is based. Written response will be made within seven (7) working days.
  2. If the disagreement is still unresolved, request in writing that the matter be reviewed by the NDE Program Director, whose decision will be final and will not be open to further discussion or challenge.
  3. All interactions will be conducted with honesty, courtesy, and respect. It is essential that a professional relationship be maintained in order to properly administer the grant and provide effective services in the community.
  4. Conduct that interferes with the administration of the grant or negatively impacts the ability to provide effective program services may result in termination of the grant after NDE carefully reviews the circumstances.
  5. Timeliness of report submission will be tracked and noted in the grant file. Any extensions or exceptions to requirements must also be noted in the grant file.

Failure to comply with the terms and conditions detailed above may result in the loss of state funds and may be considered grounds for the suspension or termination of this grant.

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Signature of Superintendent or Superintendent Designee

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Print Name of Superintendent or Superintendent Designee and Title

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Signature of District Fiscal Representative/Print Name of District Fiscal Representative

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Signature of District Leadership responsible for EL services has reviewed the school SB 178 plan to ensure alignment with District EL policy/plan. (Please print name after signature)

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District/Organization