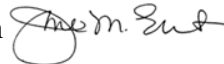




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**GUIDANCE MEMORANDUM 23-10**

**TO:** Public School District Superintendents  
Charter School Leaders and Principals

**FROM:** Jhone M. Ebert, Superintendent of Public Instruction 

**DATE:** November 8, 2023

**SUBJECT:** Assembly Bill 219 – Corrective Action Plans

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This memorandum provides information regarding the school-level Corrective Action Plan and state assessment requirements outlined in Assembly Bill (AB) 219 from the 2019 Legislative Session.

**Overview**

NRS 388.408, Section 1 requires principals of public schools which demonstrate low academic achievement of English learner (EL) pupils to establish a corrective action plan (CAP). Specifically, the law states that based on the most recent annual report of the statewide system of accountability for public schools, schools rated in the lowest 30 percent of achievement for English learners are to fulfill the CAP requirement.

**Process for Determining Schools**

The Nevada Department of Education (NDE) has taken the following steps in determining which schools are subject to the CAP requirement based on the Nevada Report Card data released September 15, 2023:

1. Calculated the pooled proficiency<sup>1</sup> of EL students for schools with at least 10 EL students assessed in each of the English Language Arts (ELA) and Mathematics (Math) content areas, using the spring 2023 assessment results:
  - a. Elementary Schools: Smarter Balanced ELA and Math proficiency of EL students
  - b. Middle Schools: Smarter Balanced ELA and Math proficiency of EL students
  - c. High Schools: ACT ELA and Math proficiency of EL students
2. Rank ordered, by level (elementary, middle, and high school), the pooled proficiency rates for each school within the Nevada School Performance Framework (NSPF) and determined the EL pooled proficiency rate corresponding to the lowest 30 percent of achievement.
  - a. **Elementary schools** were identified if they had an EL pooled proficiency rate equal to or less than **12.21%**.
  - b. **Middle schools** were identified if they had an EL pooled proficiency rate equal to or less than **2.16%**.
  - c. **High schools** were identified if they had an EL pooled proficiency rate equal to or less than **1.05%**.

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<sup>1</sup> Pooled Proficiency is defined as:  $(\# \text{ ELA proficient} + \# \text{ Math proficient}) / (\# \text{ ELA assessed} + \# \text{ Math assessed})$

## List of AB 219 CAP Schools by District

In accordance with NRS 388.408 requirements, NDE has provided a list of public schools required to complete the CAP process. Please see **Appendix A**.

*Note: To avoid the potential release of confidential information regarding individual student performance, the Nevada Department of Education has not included specific school-level data regarding actual student proficiency in this document.*

### AB 219 Corrective Action Plan

1. CAP Components: For those schools identified for AB 219 CAP, the principal shall complete a corrective action plan, submit the plan to the Department, and publish on the school website. A corrective action plan which must include:
  - a. Identification of the root causes of the low levels of achievement among pupils who are English learners.
  - b. Plans to address those root causes.
  - c. Attainable quantitative goals for improvement in the achievement of pupils who are English learners and timelines for meeting those goals.
  - d. Identification of specific actions to improve the achievement of pupils who are English learners, plans to monitor those actions and identification of persons responsible for taking and monitoring those actions; and
  - e. Plans to provide professional development designed to address the needs of pupils who are English learners to administrators, teachers, and other educational staff.
2. Avoiding Multiple School Corrective Action Plans:

NRS 388.408, section 3 allows schools that have already developed a Corrective Action Plan related to school improvement/student achievement to incorporate the AB 219 CAP components into the existing school improvement plan. NDE strongly encourages schools to incorporate the essential AB 219 CAP components related to English learner academic achievement into their annual School Performance Plan (SPP). To provide options for schools, NDE is allowing schools to complete an [AB 219 CAP Template](#).
3. CAP Timeline:
  - a. Designated schools are to develop and submit their required AB 219 CAP components as part of the SPP School Status Check-in #1 which is due by February 9, 2024, through [NDE AB 219 CAP Submission - Smartsheet](#).
  - b. NDE will review and provide feedback on CAPs by March 29, 2024

### Additional Requirement for High Schools

In accordance with NRS 388.408, Section 4, a public high school that has been required to develop a corrective action plan pursuant to AB 219 shall notify the parent or guardian of each pupil receiving services for English learners at the high school, in English and any language that is the primary language of at least 10 percent of the English learners enrolled in the high school, that the school has adopted a corrective action plan. The notice must include, without limitation:

- a. A list of each high school in the same school district that has not adopted an AB 219 corrective action plan.
- b. A statement that the parent or guardian may request that the pupil be transferred to a public high school that has not adopted an AB 219 corrective action plan: and
- c. A statement of the provisions of AB 219, section 1.2, subsection 5, which states:

*The board of trustees of a school district shall allow a pupil who is an English learner and attends school that has adopted a corrective action plan to enroll in a public school outside the zone of attendance in which the pupil resides if:*

- a. The pupil wishes to transfer because of the adoption of the corrective action plan; and*
- b. The public school in which the pupil wishes to enroll has adequate capacity to enroll the pupil after enrolling all pupils who reside in the zone of attendance of the school and wish to attend the school.*

### **State Assessments**

AB 219 outlines specific requirements related to the availability of assessments in languages other than English and the provision of authorized supports in the administration of academic assessments. **Appendix B** provides information related to those requirements.

### **Training & Technical Assistance**

To support schools and districts in the implementation of AB 219 requirements, NDE has scheduled informational Office Hours through Zoom to assist in the implementation of AB 219:

- AB 219 CAP Technical Assistance Office Hours will be from **2:30 – 3:30 PM**:
  - Wednesday, November 15, 2023: [Link to AB 219 CAP Office Hour \(11/15/23\)](#)
  - Wednesday, December 13, 2023: [Link to AB 219 CAP Office Hour \(12/13/23\)](#)
  - Wednesday, January 10, 2024: [Link to AB 219 CAP Office Hour \(1/10/24\)](#)

For additional information regarding AB 219, please contact Karl Wilson at [karlwilson@doe.nv.gov](mailto:karlwilson@doe.nv.gov).

**Appendix A**  
**List of AB 219 CAP Schools by District**  
 School Year 2023-2024  
 (Based on Spring 2023 Assessments)

**Carson City School District**

**Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name
Bordewich Bray ES
Empire ES
Fritsch ES
Seeliger ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name
Carson MS
Eagle Valley MS

**Churchill County School District**

**Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name
Numa ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name
Churchill MS

**Clark County School District**

**Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name	School Name	School Name
100 Academy SET ES	Goldfarb ES	Perkins C ES
Antonello ES	Gragson ES	Petersen ES
Barber ES	Gray ES	Pittman ES
Beatty J ES	Griffith ES	Red Rock ES
Bell ES	Hewetson ES	Roberts ES
Booker ES	Hickey ES	Ronnow ES
Bowler Joseph ES	Hinman ES	Sandy Valley ES
Bruner ES	Hummel ES	Smith Hal ES
Bunker ES	Innovations ES	Snyder W ES
Cox C ES	Jeffers ES	Squire ES
Craig ES	Kelly ES	Sunrise Acres ES
Crestwood ES	King Martin ES	Tartan ES
Dickens ES	Lake ES	Taylor R ES
Dondero ES	Lincoln ES	Thomas ES
Earl I ES	Lowman ES	Twin Lakes ES
Earl M ES	Lunt ES	Warren ES
Edwards ES	Lynch ES	Wasden ES
Elizondo ES	Manch ES	Williams T ES
Gibson ES	Martinez ES	Wynn ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name	School Name	School Name
100 Academy SET MS	Keller MS	Smith MS
Bridger MS	Martin MS	Von Tobel MS
Delta Charter MS	Molasky JHS MS	West Prep JSHS MS
Findlay MS	Sandy Valley JSHS MS	Woodbury MS
Garside MS	Silvestri JHS MS	

**High Schools:** (schools pooled proficiency ELA and Math for EL less than 1.054%)

School Name	School Name	School Name
Chaparral HS	Global Community HS	Silverado HS
Del Sol ACAD HS	Rancho HS	Valley HS

**Douglas County School District**

**Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name
Gardnerville ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name
Pau Wa Lu MS

**High Schools:** (schools pooled proficiency ELA and Math for EL less than 1.054%)

School Name
Douglas HS

**Elko County School District**

**Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name
Flagview Intermediate ES
Sage ES
W Wendover ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name
Adobe MS

**High Schools:** (schools pooled proficiency ELA and Math for EL less than 1.054%)

School Name
W Wendover HS

**Humboldt County School District****Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

<b>School Name</b>
French Ford ES
Sonoma Heights ES
Winnemucca GS ES

**High Schools:** (schools pooled proficiency ELA and Math for EL less than 1.054%)

<b>School Name</b>
Lowry HS

**Lander County School District****Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

<b>School Name</b>
Lemaire JHS MS

**Lyon County School District****Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name	School Name	School Name
Cottonwood ES	Fernley Intermediate ES	Sutro ES
Dayton ES	Riverview ES	Yerington ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

<b>School Name</b>
Silver Stage MS

**Nye County School District****Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

<b>School Name</b>
Floyd ES
JG Johnson ES
Manse ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

<b>School Name</b>
Armargosa Valley MS

**Washoe County School District****Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name	School Name	School Name
Allen ES	Donner Springs ES	Mitchell ES
Anderson ES	Dunn ES	Risley ES
Bailey CH ES	Gomes ES	Stead ES
Beasley ES	High Desert CS ES	Sun Valley ES
Bennett ES	Lemmon Valley ES	Veterans Memorial STEM ES
Cannan ES	Lincoln Park ES	Warner ES
Desert Heights ES	Loder ES	
Dodson ES	Mathews ES	

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name	School Name	School Name
Clayton Academy MS	Mendive MS	Traner MS
Cold Springs MS	OBrien MS	Vaughn MS
Desert Skies MS	Pine MS	
Incline MS	Sparks MS	

**High Schools:** (schools pooled proficiency ELA and Math for EL less than 1.054%)

School Name	School Name	School Name
Damonte Ranch HS	Reno HS	Wooster HS
McQueen HS	Spanish Springs HS	
Reed HS	Sparks HS	

**State Public Charter School Authority**

**Elementary Schools:** (schools pooled proficiency ELA and MATH for EL less than 12.206%)

School Name
pilotED Cactus Park ES
TEACH Las Vegas ES

**Middle Schools:** (schools pooled proficiency ELA and Math for EL less than 2.16%)

School Name	School Name	School Name
Explore ACAD MS	Nevada Virtual ACAD MS	Somerset Lone Mtn MS
Legacy Cadence MS	Somerset Aliante MS	Somerset Losee MS

**High Schools:** (schools pooled proficiency ELA and Math for EL less than 1.054%)

School Name
SLAM HS

The following LEAs do not have schools identified for AB 219 Corrective Action Plan:

- Esmeralda County School District
- Eureka County School District
- Lincoln County School District
- Mineral County School District
- Pershing County School District
- Storey County School District
- White Pine County School District

**Appendix B**  
**AB 219 - State Assessments**

AB 219 changes Nevada Revised Statutes by adding language to 390.105 and 390.610 regarding access to general academic assessments:

**390.105.3** *The Department shall ensure the availability of: (a) The examinations prescribed pursuant to subsections 1 and 2 to pupils in any language in which those examinations are published; and (b) Authorized supports to pupils who are English learners for the examinations prescribed pursuant to subsections 1 and 2.*

Additionally, the bill addresses the Nevada College and Career Ready (CCR) assessment (currently the ACT):

**390.610.6** *The Department shall ensure the availability of authorized supports to pupils who are English learners for the assessment selected pursuant to subsection 1.”*

**Languages in which Nevada assessments are published:**

- The Smarter Balanced Summative Assessment offers Dual Language Spanish for Math only. The assessment is not translated into any other languages.
- The Nevada Science Assessment offers Dual Language Spanish. The assessment is not translated into any other languages.
- Smarter Balanced offers embedded glossaries for construct-irrelevant terms (words that do not influence outcome or performance) in the following languages: Spanish, Tagalog, and Cantonese.
- Smarter Balanced and Nevada Science allow the use of approved word-to-word dictionaries.
- The Smarter Balanced and Nevada Science define *Accommodations* as those supports that require an Individualized Education Plan (IEP) or 504 plan. Language supports do not require IEPs or 504s.
- ACT allows use of approved word-to-word dictionaries and offers only test directions in Arabic, Chinese (Simplified), Chinese (Traditional), French, German, Haitian Creole, Korean, Russian, Somali, Spanish, Tagalog, Vietnamese.



Assessment	Translations	Designated Supports
<b>Smarter Balanced</b>	<p><b>Dual Language Spanish</b> Math tests with directions, test questions, and answer options presented in English and Spanish (Human Voice Audio in Spanish is available as an option)</p> <p>Tests are available online or paper/pencil format</p>	<p><b>Embedded Glossing for Math tests</b> Selected construct-irrelevant terms are presented in a pop-up window in the student’s selected language. This designated support is available in Spanish, Tagalog, or Cantonese. Available only for online testing.</p> <p><b>Bilingual Glossary (non-embedded)</b> Students may use a word-to-word bilingual glossary or content-specific bilingual glossary for math items and science items. Glossaries must be in a paper-based format.</p>
<b>NV Science</b>	<p><b>Dual Language Spanish</b> Science tests with directions, test questions, and answer options presented in English and Spanish (Human Voice Audio in Spanish is available as an option)</p> <p>Tests are available online or paper/pencil format</p>	<p><b>Bilingual Glossary (non-embedded)</b> Students may use a word-to-word bilingual glossary or content-specific bilingual glossary for math items and science items. Glossaries must be in a paper-based format.</p>

Assessment	Translations	Language-based Accommodations	Designated Supports
<b>ACT</b>	None	<p><b>Test Directions only in:</b> Arabic Chinese (Simplified) Chinese (Traditional) French German Haitian Creole Korean Russian Somali Spanish Tagalog Vietnamese</p> <p>Extended testing time (up to 50% added)</p>	Approved word-to-word dictionaries in many languages