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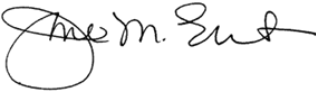
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GUIDANCE MEMORANDUM 24-02

TO: Nevada District Superintendents and Charter School Authorities
FROM: Jhone M. Ebert, Superintendent of Public Instruction 
DATE: October 21, 2024
SUBJECT: School English Learner Academic Achievement Plan (AB 219 Corrective Action Plans)

This memorandum provides information regarding the school-level Corrective Action Plan (CAP) and requirements outlined in Nevada Revised Statute (NRS) 388.408. Nevada Department of Education (NDE) is now calling these plans “School English Learner Academic Achievement Plans.”

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. 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.

As schools move forward with plans to increase academic performance, please be reminded that the Nevada Department of Education, District Superintendents, and the [Nevada Commission on Innovation and Excellence in Education](#) continue to find new ways to identify, assess, and support all learners. If you have innovative solutions, please add them here and be sure to amplify them with the NDE team.

Process for Determining Schools

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, 2024:

1. Calculated the pooled proficiency¹ 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 2024 assessment results:

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

- 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 **12.5%**.
 - b. **Middle schools** were identified if they had an EL pooled proficiency rate equal to or less than **2.0%**.
 - c. **High schools** were identified if they had an EL pooled proficiency rate equal to or less than **1.07%**.

List of NRS 388.408-Designated Schools by District

In accordance with NRS 388.408 requirements, NDE has provided a list of schools in your LEA required to complete the School English Learner Academic Achievement Plan (formerly Corrective Action Plan) process. Please see **Appendix A**.

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

School English Learner Academic Achievement Plan (formerly called AB 219 CAP)

1. School English Learner Academic Achievement Plan Components:
For those schools identified for School English Learner Academic Achievement Plans (formerly called AB 219 CAP), the principal shall complete a School English Learner Academic Achievement Plan, submit the plan to the Department, and publish on the school website. The plan 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 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 NRS 388.408 components into the existing school improvement plan. NDE strongly encourages schools to incorporate the essential School English Learner Academic Achievement Plan 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 a School English Learner Academic Achievement Plan within their SPPs in Plan4Learning or as an SPP addendum using a template.

3. School English Learner Academic Achievement Plan Timeline:
 - a. Designated schools are to develop and submit their required School English Learner Academic Achievement Plan Template components as part of their school performance plans, which are due by November 30, 2024.
 - b. NDE will review and provide feedback on School English Learner Academic Achievement Plans by January 17, 2025

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 NRS 388.408 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 a School English Learner Academic Achievement Plan (formerly known as an AB 219 CAP) pursuant to NRS 388.408.
- b. A statement that the parent or guardian may request that the pupil be transferred to a public high school that has not adopted a School English Learner Academic Achievement plan pursuant to NRS 388.408: and
- c. A statement of the provisions of NRS 388.408, section 5, which states:

The board of trustees of a school district shall allow a pupil who is an English learner and attends a 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.*

Training & Technical Assistance

To support schools and districts in the implementation of NRS 388.408 requirements, NDE has scheduled informational Office Hours through Zoom to assist in the implementation of School English Learner Academic Achievement Plans:

- [Tuesday, October 29, 10:00-11:00 am](#)
- [Tuesday, November 5, 10:00-11:00 am](#)
- [Friday, November 8, 10:00-11:00 am](#)
- [Tuesday, November 12, 10:00-11:00 am](#)
- [Tuesday, November 19, 10:00-11:00 am](#)
- [Tuesday, November 26, 10:00-11:00 am](#)

For additional information regarding School English Learner Academic Achievement Plan, please contact Sarah Russell at sarah.russell@doe.nv.gov and Sarah Thomas at sarah.thomas@doe.nv.gov.