

SENATE BILL NO. 458—COMMITTEE ON FINANCE

MARCH 25, 2019

Referred to Committee on Finance

SUMMARY—Makes an appropriation for the creation and maintenance of school gardens for certain Title I schools. (BDR S-580)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Contains Appropriation not included in Executive Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT making an appropriation for allocation to nonprofit organizations to provide programs for the creation and maintenance of school gardens for certain Title I schools; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Senate Bill No. 167 of the 79th Session of the Nevada Legislature was enacted  
 2 to strongly encourage each school to establish and participate in programs,  
 3 including a school garden program, to promote the consumption of fresh fruits and  
 4 vegetables by children. (Chapter 452, Statutes of Nevada 2017, p. 2915)  
 5 This bill appropriates money for allocation to nonprofit organizations to  
 6 provide for the creation and maintenance of programs that provide school gardens,  
 7 including hydroponic gardens, for Title I schools.

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

1 **Section 1.** 1. There is hereby appropriated from the State  
 2 General Fund to the Other State Education Programs Account in the  
 3 State General Fund for the cost of creating and maintaining  
 4 programs for school gardens that meet the requirements of  
 5 subsection 4 the following sums:

6 For the Fiscal Year 2019-2020 ..... \$410,000  
 7 For the Fiscal Year 2020-2021 ..... \$205,000



1 2. The Department of Education shall allocate the money  
2 appropriated by subsection 1 to nonprofit organizations which meet  
3 the requirements of subsection 3 to provide at the qualifying school  
4 a program for a school garden which meets the requirements set  
5 forth in subsection 4.

6 3. For a nonprofit organization to receive an allocation of  
7 money pursuant to subsection 2 to provide a program for a school  
8 garden, the school at which the program will be implemented must  
9 be a Title I school, as defined in NRS 385A.040.

10 4. For a nonprofit organization to receive an allocation of  
11 money to provide a program for a school garden pursuant to  
12 subsection 2, the program must:

13 (a) Create and maintain a school garden at the school.

14 (b) Have a curriculum that:

15 (1) Includes a comprehensive science, technology,  
16 engineering and mathematics school garden program. Such a  
17 program must include, without limitation, a science, technology,  
18 engineering and mathematics curriculum for outdoor or hydroponic  
19 gardens for pupils in kindergarten through grade 5 that is tailored to  
20 pupils of the appropriate grade levels at the school;

21 (2) Is written specifically for Nevada and the desert  
22 environment of Nevada;

23 (3) Complies with the standards of content and performance  
24 for a course of study in science adopted by the State Board of  
25 Education pursuant to NRS 389.520;

26 (4) Uses experiential learning or project-based learning to  
27 teach science, technology, engineering, arts and mathematics;

28 (5) Is designed with the assistance of teachers and other  
29 educational personnel with experience at the appropriate grade  
30 levels at the school; and

31 (6) Involves supervised learning experiences for the pupils at  
32 the school in a classroom and a school garden.

33 (c) Provide the school with assistance from members of the  
34 community, including without limitation, trained educators, local  
35 farmers and local chefs.

36 (d) Provide pupils with the:

37 (1) Ability to operate a farmer's market to sell the produce  
38 from the school garden; and

39 (2) Opportunity to have a local chef or employee of a school  
40 who works in food services demonstrate how to cook a meal using  
41 the produce grown from the school garden.

42 (e) Establish garden teams comprised of teachers and, if such  
43 persons are available, parents and members of the community. Each  
44 garden team shall meet at least once each month.



1 (f) Require any local nonprofit or community-based  
2 organization which will provide services to implement the program  
3 for a school garden to have at least 2 years of experience  
4 implementing such a program.

5 5. Money allocated pursuant to subsection 2 may be used to:

6 (a) Provide professional development for teachers regarding the:

7 (1) Use of a school garden to teach pupils with disabilities,  
8 including, without limitation, training for teaching such pupils  
9 science, technology, engineering and mathematics curriculum and  
10 vocational training to create a career path in horticulture;

11 (2) Development and implementation of science, technology,  
12 engineering, arts and mathematics curricula that incorporate the use  
13 of a school garden;

14 (3) Development and implementation of training that may be  
15 provided to a group or individually to teachers in how to establish  
16 and maintain school gardens to increase the time teachers allocate to  
17 teaching science, technology, engineering and mathematics; and

18 (4) Development and implementation of a food safety plan  
19 designed to ensure that food grown in a school garden is properly  
20 handled and safe to sell and consume;

21 (b) Pay for any travel expenses associated with the attendance of  
22 a teacher at any training or conference relating to school gardens;  
23 and

24 (c) Pay for the costs of a conference regarding school gardens  
25 held in this State.

26 6. As used in this section, "school garden" includes, without  
27 limitation, a hydroponic garden.

28 **Sec. 2.** Upon acceptance of the money allocated pursuant to  
29 section 1 of this act, a nonprofit organization agrees to:

30 1. Prepare and transmit a report to the Interim Finance  
31 Committee on or before October 1, 2020, that describes each  
32 expenditure made from the money allocated pursuant to section 1 of  
33 this act from the date on which the money was received by the  
34 nonprofit organization through June 30, 2020;

35 2. Prepare and transmit a final report to the Interim Finance  
36 Committee on or before October 1, 2021, that describes each  
37 expenditure made from the money allocated pursuant to section 1 of  
38 this act from the date on which the money was received by the  
39 nonprofit organization through June 30, 2021; and

40 3. Upon request of the Legislative Commission, make available  
41 to the Legislative Auditor any of the books, accounts, claims,  
42 reports, vouchers or other records of information, confidential or  
43 otherwise, of the nonprofit organization, regardless of their form or  
44 location, that the Legislative Auditor deems necessary to conduct an



1 audit of the use of the money allocated pursuant to section 1 of this  
2 act.

3 **Sec. 3.** Any balance of the sums appropriated by section 1 of  
4 this act remaining at the end of the respective fiscal years must not  
5 be committed for expenditure after June 30 of the respective fiscal  
6 years by the entity to which the appropriation is made or any entity  
7 to which money from the appropriation is granted or otherwise  
8 transferred in any manner, and any portion of the appropriated  
9 money remaining must not be spent for any purpose after  
10 September 18, 2020, and September 17, 2021, respectively, by  
11 either the entity to which the money was appropriated or the entity  
12 to which the money was subsequently granted or transferred, and  
13 must be reverted to the State General Fund on or before  
14 September 18, 2020, and September 17, 2021, respectively.

15 **Sec. 4.** This act becomes effective on July 1, 2019.

