

SENATE BILL NO. 244—SENATORS PAZINA, HAMMOND, DONATE, SPEARMAN, LANGE; CANNIZZARO, DALY, DONDERO LOOP, FLORES, GOICOECHEA, D. HARRIS, KRASNER, NEAL, NGUYEN, OHRENSCHALL, SCHEIBLE, SEEVERS GANSERT AND TITUS

MARCH 9, 2023

JOINT SPONSORS: ASSEMBLYMEN GALLANT, WATTS, TORRES, NGUYEN; BILBRAY-AXELROD, CARTER, D’SILVA, HAFEN AND KASAMA

Referred to Committee on Finance

SUMMARY—Makes an appropriation to the Other State Education Programs Account for the creation and maintenance of school gardens. (BDR S-557)

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 to the Other State Education Programs Account for allocation to nonprofit organizations to provide programs for the creation and maintenance of school gardens for public schools; and providing other matters properly relating thereto.

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 3 the following sums:

6 For the Fiscal Year 2023-2024 \$1,500,000
7 For the Fiscal Year 2024-2025 \$1,500,000



1 2. The Department of Education shall allocate the money
2 appropriated by subsection 1 to nonprofit organizations to provide at
3 public schools programs for school gardens which meet the
4 requirements set forth in subsection 3. In making allocations
5 pursuant to this subsection, the Department shall allocate not less
6 than 80 percent of the money appropriated pursuant to subsection 1
7 to fund programs for a school garden which will be implemented at
8 Title I schools, as defined in NRS 385A.040.

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

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

13 (b) Have a curriculum that:

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

20 (2) Is written specifically for Nevada and the desert
21 environment of Nevada.

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

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

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

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

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

35 (d) Provide pupils with the:

36 (1) Ability to operate a farmers' market to sell the produce
37 from the school garden; and

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

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

44 (f) Require any local nonprofit or community-based
45 organization which will provide services to implement the program



1 for a school garden to have at least 2 years of experience
2 implementing such a program.

3 (g) Be identified as a high-quality science, technology,
4 engineering and mathematics program by the Advisory Council on
5 Science, Technology, Engineering and Mathematics, pursuant to the
6 implementation of the strategic plan for the development of
7 educational resources in the fields of science, technology,
8 engineering and mathematics developed pursuant to NRS 223.650.

9 4. Money allocated pursuant to subsection 2 may be used to:

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

11 (1) Use of a school garden to teach pupils with disabilities,
12 including, without limitation, training for teaching such pupils
13 science, technology, engineering, arts and mathematics curriculum
14 and vocational training to create a career path in horticulture;

15 (2) Development and implementation of science, technology,
16 engineering, arts and mathematics curricula that incorporate the use
17 of a school garden;

18 (3) Development and implementation of training that may be
19 provided to a group or individually to teachers in how to establish
20 and maintain school gardens to increase the time teachers allocate to
21 teaching science, technology, engineering, arts and mathematics;
22 and

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

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

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

31 5. As used in this section:

32 (a) "Public school" has the meaning ascribed to it in
33 NRS 385.007.

34 (b) "School garden" includes, without limitation, a hydroponic
35 garden.

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

38 1. Prepare and transmit a report to the Interim Finance
39 Committee on or before October 1, 2024, that describes each
40 expenditure made from the money allocated pursuant to section 1 of
41 this act from the date on which the money was received by the
42 nonprofit organization through June 30, 2024;

43 2. Prepare and transmit a final report to the Interim Finance
44 Committee on or before October 1, 2025, that describes each
45 expenditure made from the money allocated pursuant to section 1 of



1 this act from the date on which the money was received by the
2 nonprofit organization through June 30, 2025; and

3 3. Upon request of the Legislative Commission, make available
4 to the Legislative Auditor any of the books, accounts, claims,
5 reports, vouchers or other records of information, confidential or
6 otherwise, of the nonprofit organization, regardless of their form or
7 location, that the Legislative Auditor deems necessary to conduct an
8 audit of the use of the money allocated pursuant to section 1 of this
9 act.

10 **Sec. 3.** Any balance of the sums appropriated by section 1 of
11 this act remaining at the end of the respective fiscal years must not
12 be committed for expenditure after June 30 of the respective fiscal
13 years by the entity to which the appropriation is made or any entity
14 to which money from the appropriation is granted or otherwise
15 transferred in any manner, and any portion of the appropriated
16 money remaining must not be spent for any purpose after
17 September 20, 2024, and September 19, 2025, respectively, by
18 either the entity to which the money was appropriated or the entity
19 to which the money was subsequently granted or transferred, and
20 must be reverted to the State General Fund on or before
21 September 20, 2024, and September 19, 2025, respectively.

22 **Sec. 4.** This act becomes effective on July 1, 2023.

