

SENATE BILL NO. 50—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

PREFILED JANUARY 27, 1999

(ON BEHALF OF LEGISLATIVE COMMITTEE ON EDUCATION)

Referred to Committee on Human Resources and Facilities

SUMMARY—Authorizes boards of trustees of school districts to negotiate for payment of unused sick leave to certain licensed teachers in form of additional retirement credit. (BDR 34-866)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to educational personnel; authorizing the boards of trustees of school districts to prescribe by regulation or negotiate with respect to the payment of unused sick leave to licensed teachers in the form of the purchase of retirement credit; 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.** NRS 391.180 is hereby amended to read as follows:
2 391.180 1. As used in this section, “employee” means any employee
3 of a school district or charter school in this state.
4 2. A school month in any public school in this state consists of 4 weeks
5 of 5 days each.
6 3. Nothing contained in this section prohibits the payment of
7 employees’ compensation in 12 equal monthly payments for 9 or more
8 months’ work.
9 4. The per diem deduction from the salary of an employee because of
10 absence from service for reasons other than those specified in this section is
11 that proportion of the yearly salary which is determined by the ratio between
12 the duration of the absence and the total number of contracted work days in
13 the year.

1 5. Boards of trustees shall either prescribe by regulation or negotiate
2 pursuant to chapter 288 of NRS, with respect to sick leave, accumulation of
3 sick leave, payment for unused sick leave, sabbatical leave, personal leave,
4 professional leave, military leave and such other leave as they determine to
5 be necessary or desirable for employees. *In addition, boards of trustees*
6 *may either prescribe by regulation or negotiate pursuant to chapter 288 of*
7 *NRS with respect to the payment of unused sick leave to licensed teachers*
8 *in the form of purchase of service pursuant to subsection 3 of NRS*
9 *286.300. The amount of service so purchased must not exceed the number*
10 *of hours of unused sick leave or 1 year, whichever is less.*

11 6. The salary of any employee unavoidably absent because of personal
12 illness or accident, or because of serious illness, accident or death in the
13 family, may be paid up to the number of days of sick leave accumulated by
14 the employee. An employee may not be credited with more than 15 days of
15 sick leave in any 1 school year. Except as otherwise provided in this
16 subsection, if an employee takes a position with another school district or
17 charter school, all sick leave that he has accumulated must be transferred
18 from his former school district or charter school to his new school district or
19 charter school. The amount of sick leave so transferred may not exceed the
20 maximum amount of sick leave which may be carried forward from one year
21 to the next according to the applicable negotiated agreement or the policy of
22 the district or charter school into which the employee transferred. Unless the
23 applicable negotiated agreement or policy of the employing district or
24 charter school provides otherwise, such an employee:

25 (a) Shall first use the sick leave credited to the employee from the district
26 or charter school into which he transferred before using any of the
27 transferred leave; and

28 (b) Is not entitled to compensation for any sick leave transferred pursuant
29 to this subsection.

30 7. Subject to the provisions of subsection 8:

31 (a) If an intermission of less than 6 days is ordered by the board of
32 trustees of a school district or the governing body of a charter school for any
33 good reason, no deduction of salary may be made therefor.

34 (b) If, on account of sickness, epidemic or other emergency in the
35 community, a longer intermission is ordered by the board of trustees of a
36 school district, the governing body of a charter school or a board of health
37 and the intermission or closing does not exceed 30 days at any one time,
38 there may be no deduction or discontinuance of salaries.

39 8. If the board of trustees of a school district or the governing body of a
40 charter school orders an extension of the number of days of school to
41 compensate for the days lost as the result of an intermission because of
42 those reasons contained in paragraph (b) of subsection 7, an employee may
43 be required to render his services to the school district or charter school

1 during that extended period. If the salary of the employee was continued
2 during the period of intermission as provided in subsection 7, the employee
3 is not entitled to additional compensation for services rendered during the
4 extended period.

5 9. If any subject referred to in this section is included in an agreement
6 or contract negotiated by:

7 (a) The board of trustees of a school district pursuant to chapter 288 of
8 NRS; or

9 (b) The governing body of a charter school pursuant to NRS 386.595,
10 the provisions of the agreement or contract regarding that subject supersede
11 any conflicting provisions of this section or of a regulation of the board of
12 trustees.

13 **Sec. 2.** NRS 286.300 is hereby amended to read as follows:

14 286.300 Except as otherwise required as a result of NRS 286.537:

15 1. Any member of the system may purchase all previous creditable
16 service performed with his present employing agency if that service was
17 performed before the enrollment of his agency in the system, even if the
18 service is still creditable in some other system where it cannot be canceled.
19 The public employer must certify the inclusive dates of employment and
20 number of hours regularly worked by the member to validate the service.
21 The member must pay the full actuarial cost as determined by the actuary.

22 2. In addition to the purchase authorized pursuant to the provisions of
23 subsection 1, any member who has 5 years of creditable service may
24 purchase up to 5 years of service. The member must pay the full actuarial
25 cost of the service as determined by an actuary of the system.

26 **3. *In addition to the purchase authorized pursuant to the provisions***
27 ***of subsection 1, any member who:***

28 ***(a) Is a licensed teacher;***

29 ***(b) Has 5 years of creditable service;***

30 ***(c) Is, pursuant to statute, regulation or contract, entitled to payment***
31 ***for unused sick leave; and***

32 ***(d) Is employed by the board of trustees of a school district that has,***
33 ***pursuant to subsection 5 of NRS 391.180, provided for the payment of***
34 ***unused sick leave in the form of purchase of service,***
35 ***may cause to be purchased on his behalf service credit, not to exceed the***
36 ***number of hours of unused sick leave or 1 year, whichever is less. The***
37 ***full actuarial cost of the service as determined by an actuary of the system***
38 ***must be paid for such a purchase. Any service credit purchased pursuant***
39 ***to this subsection must be included as a part of, and is not in addition to,***
40 ***service purchased pursuant to subsection 2.***

41 **Sec. 3.** This act becomes effective on July 1, 1999.

