

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A.B. 311

ASSEMBLY BILL NO. 311—ASSEMBLYMEN GIUNCHIGLIANI, ANDERSON, BACHE, PARNELL, GIBBONS, ARBERRY, BUCKLEY, CHOWNING, CLABORN, COLLINS, DE BRAGA, DINI, FREEMAN, GOLDWATER, LEE, LESLIE, MANENDO, MCCLAIN, NEIGHBORS, OCEGUERA, OHRENSCHALL, PARKS, PERKINS, PRICE, SMITH AND WILLIAMS

MARCH 9, 2001

Referred to Concurrent Committees on Education
and Ways and Means

SUMMARY—Revises provisions governing educational personnel and basic support guarantee for special education. (BDR 34-1084)

FISCAL NOTE: Effect on Local Government: Yes.
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 relating to education; revising provisions governing the establishment of the basic support guarantee for special education program units for the education of pupils with disabilities; revising provisions governing the purchase of retirement credit for certain teachers; and providing other matters properly relating thereto.

1 WHEREAS, An effective public school system relies significantly upon
2 the wisdom, knowledge, talent and skills provided by teachers and other
3 educational personnel; and

4 WHEREAS, The legislature believes that to perpetuate an effective public
5 school system, the boards of trustees of the school districts in this state
6 should take action to attract and retain qualified teachers and other
7 educational personnel; and

8 WHEREAS, Boards of trustees of school districts in this state should
9 consider the various professional and personal demands placed upon
10 persons in the 21st century and provide in their contracts of employment
11 the opportunity for teachers and other educational personnel to work
12 pursuant to a scheduling plan commonly known as flexible time and other
13 innovative scheduling plans that are suitable to the needs of the teachers
14 and other educational personnel; now, therefore,

15
16 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
17 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:



* A B 3 1 1 R 2 *

1 **Section 1.** NRS 387.122 is hereby amended to read as follows:
2 387.122 **1.** For making the apportionments of the state distributive
3 school account in the state general fund required by the provisions of this
4 Title, the basic support guarantee per pupil for each school district and the
5 basic support guarantee for each special education program unit maintained
6 and operated during at least 9 months of a school year are established by
7 law for each school year.

8 **2.** *The basic support guarantee established pursuant to subsection 1*
9 *for each special education program unit for the education of pupils with*
10 *disabilities must not be less than an amount equal to 60 percent of the*
11 *average annual salary plus benefits for the year in which the basic*
12 *support guarantee is established of licensed teachers who teach special*
13 *education in this state.*

14 **Sec. 2.** NRS 391.165 is hereby amended to read as follows:

15 391.165 1. Except as otherwise provided in ~~subsection 3 of~~ this
16 section and except as otherwise required as a result of NRS 286.537, the
17 board of trustees of a school district shall pay the cost for a licensed teacher
18 to purchase ~~one-fifth~~ **one-fourth** of a year of service pursuant to
19 subsection 2 of NRS 286.300 if:

20 (a) The teacher is a member of the public employees' retirement system
21 and has at least 5 years of service;

22 (b) The teacher has been employed as a licensed teacher in this state for
23 at least 5 consecutive school years, regardless of whether the employment
24 was with one or more school districts in this state;

25 (c) Each evaluation of the teacher conducted pursuant to NRS 391.3125
26 is at least satisfactory for the years of employment required by paragraph
27 (b); and

28 (d) In addition to the years of employment required by paragraph (b),
29 the teacher has been employed as a licensed teacher for 1 school year at a
30 school within the school district which, for that school year, carries the
31 designation of demonstrating need for improvement pursuant to NRS
32 385.367.

33 2. Except as otherwise provided in ~~subsection 3 of~~ **this section**, the
34 board of trustees of a school district shall pay the cost for a licensed teacher
35 to purchase ~~one-fifth~~ **one-half** of a year of service **pursuant to subsection**
36 **2 of NRS 286.300 if:**

37 (a) *The teacher is a member of the public employees' retirement*
38 *system and has at least 5 years of service;*

39 (b) *The teacher has been employed as a licensed teacher in this state*
40 *for at least 5 consecutive school years, regardless of whether the*
41 *employment was with one or more school districts in this state;*

42 (c) *Each evaluation of the teacher conducted pursuant to NRS*
43 *391.3125 is at least satisfactory for the years of employment required by*
44 *paragraph (b); and*

45 (d) *In addition to the years of employment required by paragraph (b),*
46 *the teacher has been employed as a licensed teacher for 1 school year at*
47 *a school within the school district where, for that school year, at least 65*
48 *percent of the pupils who are enrolled in the school are pupils at risk.*



1 **3. Except as otherwise provided in subsection 4, the board of trustees**
2 **of a school district shall pay the cost for a licensed teacher to purchase:**
3 **(a) One-fourth of a year of service** for each year that a teacher is
4 employed as a teacher at a school within the school district that is
5 described in paragraph (d) of subsection 1 ~~†~~
6 ~~—3.†~~ ; or
7 **(b) One-half of a year of service for each year that a teacher is**
8 **employed as a teacher at a school within the school district that is**
9 **described in paragraph (d) of subsection 2.**
10 **If, in 1 school year, a teacher satisfies the criteria set forth in both**
11 **subsections 2 and 3, the school district in which the teacher is employed**
12 **shall, for that school year, pay the cost for the teacher to purchase one-**
13 **half of a year of service pursuant to subsection 2 of NRS 286.300.**
14 4. In no event may the years of service purchased by a licensed teacher
15 as a result of subsection 2 of NRS 286.300 exceed 5 years.
16 ~~†4.†~~ 5. The board of trustees of a school district shall not:
17 (a) Assign or reassign a licensed teacher to circumvent the requirements
18 of this section.
19 (b) Include, as part of a teacher's salary, the costs of paying the teacher
20 to purchase service pursuant to this section.
21 ~~†5.†~~ 6. As used in this section ~~†“service”†~~ :
22 **(a) “Pupil at risk” has the meaning ascribed to it in NRS 386.500.**
23 **(b) “Service” has the meaning ascribed to it in NRS 286.078.**
24 **Sec. 3.** Notwithstanding the amendatory provisions of section 1 of this
25 act to the contrary, the basic support guarantee established by the
26 legislature for each special education program unit for the education of
27 pupils with disabilities for:
28 1. The fiscal year 2003-2004, must not be less than an amount equal to
29 58 percent of the average annual salary plus benefits for that year of
30 licensed teachers who teach special education in this state.
31 2. The fiscal year 2004-2005, must not be less than an amount equal to
32 59 percent of the average annual salary plus benefits for that year of
33 licensed teachers who teach special education in this state.
34 **Sec. 4.** 1. This section and sections 1 and 3 of this act become
35 effective on January 1, 2003.
36 2. Section 2 of this act becomes effective on July 1, 2003.

