

ASSEMBLY BILL NO. 374—ASSEMBLYMEN MCCLAIN, KOIVISTO, OHRENSCHALL, MANENDO, PARKS, ANGLE, ARBERRY, BACHE, BERMAN, BROWN, BUCKLEY, CARPENTER, CEGAVSKE, CHOWNING, CLABORN, COLLINS, FREEMAN, GIBBONS, GIUNCHIGLIANI, GOLDWATER, GUSTAVSON, HETTRICK, HUMKE, LEE, LESLIE, MORTENSON, NEIGHBORS, OCEGUERA, PERKINS, PRICE, SMITH, TIFFANY AND WILLIAMS

MARCH 15, 2001

Referred to Concurrent Committees on Education
and Ways and Means

SUMMARY—Revises provisions relating to school textbooks. (BDR 34-851)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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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; requiring each school district to spend a minimum amount of money for school textbooks; revising provisions relating to the annual budgets prepared by school districts; requiring the use of the same textbooks for core subjects in all high schools of a school district; 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.** Chapter 387 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *On or before January 1 of each year, the department shall*
4 *prescribe a minimum amount of money, expressed as an amount per*
5 *pupil, that each school district shall spend for textbooks in the*
6 *immediately succeeding school year to ensure that all the public schools*
7 *in this state have a sufficient number of textbooks available for use by*
8 *pupils enrolled in the schools. The amount prescribed must be a uniform*
9 *amount that is applicable to all school districts in this state.*
10 2. *Except as otherwise provided in subsection 3, in each school year,*
11 *a school district shall spend for textbooks:*
12 (a) *An amount of money, expressed as an amount per pupil, that is at*
13 *least equal to the average of the total amount of money that was*



1 *expended per year by the school district for textbooks in the immediately*
2 *preceding 3 years; or*

3 *(b) The amount of money prescribed by the department pursuant to*
4 *subsection 1,*
5 *whichever is greater.*

6 *3. In a school district in which:*

7 *(a) The total number of pupils who are enrolled in public schools*
8 *within the school district has declined from the immediately preceding*
9 *school year; or*

10 *(b) The total revenue available in the general fund of the school*
11 *district has declined from the immediately preceding school*
12 *year,*

13 *the school district shall spend for textbooks, in that school year, the*
14 *amount prescribed in either paragraph (a) or (b) of subsection 2.*

15 **Sec. 2.** NRS 387.205 is hereby amended to read as follows:

16 387.205 1. Subject to the limitations set forth in NRS 387.207, *and*
17 *section 1 of this act*, money on deposit in the county school district fund or
18 in a separate account, if the board of trustees of a school district has elected
19 to establish such an account pursuant to the provisions of NRS 354.603,
20 must be used for:

21 (a) Maintenance and operation of the public schools controlled by the
22 county school district.

23 (b) Payment of premiums for Nevada industrial insurance.

24 (c) Rent of schoolhouses.

25 (d) Construction, furnishing or rental of teacherages, when approved by
26 the superintendent of public instruction.

27 (e) Transportation of pupils, including the purchase of new buses.

28 (f) Programs of nutrition, if such expenditures do not curtail the
29 established school program or make it necessary to shorten the school term,
30 and each pupil furnished lunch whose parent or guardian is financially able
31 so to do pays at least the actual cost of the lunch.

32 (g) Membership fees, dues and contributions to an interscholastic
33 activities association.

34 (h) Repayment of a loan made from the state permanent school fund
35 pursuant to NRS 387.526.

36 2. Subject to the limitations set forth in NRS 387.207, *and section 1 of*
37 *this act*, money on deposit in the county school district fund, or in a
38 separate account, if the board of trustees of a school district has elected to
39 establish such an account pursuant to the provisions of NRS 354.603, when
40 available, may be used for:

41 (a) Purchase of sites for school facilities.

42 (b) Purchase of buildings for school use.

43 (c) Repair and construction of buildings for school use.

44 **Sec. 3.** NRS 387.207 is hereby amended to read as follows:

45 387.207 1. Except as otherwise provided in this section, in each
46 school year a school district shall spend for ~~textbooks,~~ library books and
47 supplies and materials relating to instruction, including, without limitation,
48 software for computers, an amount of money, expressed as an amount per
49 pupil, that is at least equal to the average of the total amount of money that



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1 was expended per year by the school district for those items in the
2 immediately preceding 3 years.

3 2. Except as otherwise provided in this section, in each school year a
4 school district shall spend for the purchase of equipment relating to
5 instruction, including, without limitation, equipment for
6 telecommunications and for the purchase of equipment relating to the
7 transportation of pupils, an amount of money, expressed as an amount per
8 pupil, that is at least equal to the average of the total amount of money that
9 was expended per year by the school district for those items in the
10 immediately preceding 3 years.

11 3. Except as otherwise provided in this section, in each school year a
12 school district shall spend for the maintenance and repair of equipment,
13 vehicles, and buildings and facilities an amount of money, expressed as an
14 amount per pupil, that is at least equal to the average of the total amount of
15 money that was expended per year by the school district for those items in
16 the immediately preceding 3 years, excluding any amount of money
17 derived from the proceeds of bonds.

18 4. A school district may satisfy the expenditures required by
19 subsections 1, 2 and 3 if the school district spends an aggregate amount of
20 money for all the items identified in those subsections that is at least equal
21 to the average of the total amount of money expended by the school district
22 per year for all those items in the immediately preceding 3 years.

23 5. A school district is not required to satisfy the expenditures required
24 by this section for a school year in which:

25 (a) The total number of pupils who are enrolled in public schools within
26 the school district has declined from the immediately preceding school
27 year; or

28 (b) The total revenue available in the general fund of the school district
29 has declined from the immediately preceding school year.

30 **Sec. 4.** NRS 387.303 is hereby amended to read as follows:

31 387.303 1. Not later than November 10 of each year, the board of
32 trustees of each school district shall submit to the superintendent of public
33 instruction and the department of taxation a report which includes the
34 following information:

35 (a) For each fund within the school district, including, without
36 limitation, the school district's general fund and any special revenue fund
37 which receives state money, the total number and salaries of licensed and
38 nonlicensed persons whose salaries are paid from the fund and who are
39 employed by the school district in full-time positions or in part-time
40 positions added together to represent full-time positions. Information must
41 be provided for the current school year based upon the school district's
42 final budget, including any amendments and augmentations thereto, and for
43 the preceding school year. An employee must be categorized as filling an
44 instructional, administrative, instructional support or other position.

45 (b) The count of pupils computed pursuant to paragraph (a) of
46 subsection 1 of NRS 387.1233.

47 (c) The average daily attendance for the preceding school year and the
48 estimated average daily attendance for the current school year of part-time



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1 pupils enrolled in courses which are approved by the department as
2 meeting the requirements for an adult to earn a high school diploma.

3 (d) The school district's actual expenditures in the fiscal year
4 immediately preceding the report. *The report must specifically set forth*
5 *the actual expenditures for textbooks.*

6 (e) The school district's proposed expenditures for the current fiscal
7 year.

8 (f) The schedule of salaries for licensed employees in the current school
9 year and a statement of whether the negotiations regarding salaries for the
10 current school year have been completed. If the negotiations have not been
11 completed at the time the schedule of salaries is submitted, the board of
12 trustees shall submit a supplemental report to the superintendent of public
13 instruction upon completion of negotiations or the determination of an
14 arbitrator concerning the negotiations that includes the schedule of salaries
15 agreed to or required by the arbitrator.

16 (g) The number of teachers who received an increase in salary pursuant
17 to subsection 2 of NRS 391.160 for the current and preceding fiscal years.

18 (h) The number of employees eligible for health insurance within the
19 school district for the current and preceding fiscal years and the amount
20 paid for health insurance for each such employee during those years.

21 (i) The rates for fringe benefits, excluding health insurance, paid by the
22 school district for its licensed employees in the preceding and current fiscal
23 years.

24 (j) The amount paid for extra duties, supervision of extracurricular
25 activities and supplemental pay and the number of employees receiving
26 that pay in the preceding and current fiscal years.

27 2. On or before November 25 of each year, the superintendent of
28 public instruction shall submit to the department of administration and the
29 fiscal analysis division of the legislative counsel bureau, in a format
30 approved by the director of the department of administration, a compilation
31 of the reports made by each school district pursuant to subsection 1.

32 3. The superintendent of public instruction shall, in the compilation
33 required by subsection 2, reconcile the revenues and expenditures of the
34 school districts with the apportionment received by those districts from the
35 state distributive school account for the preceding year.

36 **Sec. 5.** NRS 390.220 is hereby amended to read as follows:

37 390.220 *1.* Boards of trustees of school districts in this state shall
38 enforce in the public schools, excluding charter schools, the use of
39 textbooks prescribed and adopted by the state board.

40 *2. Except as otherwise provided in this subsection, the board of*
41 *trustees of each school district shall, to the extent practicable, select for*
42 *each core academic subject set forth in NRS 389.018, the same textbooks*
43 *for use in all the high schools of the school district. The board of trustees*
44 *may select different textbooks for use by pupils with disabilities and*
45 *gifted and talented pupils.*

46 **Sec. 6.** Each school district in this state shall comply with section 1 of
47 this act commencing with the 2002-2003 school year.

48 **Sec. 7.** 1. This section and sections 4, 5 and 6 of this act become
49 effective on July 1, 2001.



- 1 2. Section 1 of this act becomes effective on July 1, 2001, for the
- 2 purpose of prescribing a minimum amount of money that school districts
- 3 shall spend for textbooks and on July 1, 2002, for all other purposes.
- 4 3. Sections 2 and 3 of this act become effective on July 1, 2002.

