

**A.B. 671**

## ASSEMBLY BILL NO. 671—COMMITTEE ON WAYS AND MEANS

JUNE 3, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Makes appropriations to state distributive school account for class-size reduction. (BDR S-1574)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Contains Appropriation 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; making appropriations to the state distributive school account for purposes relating to class-size reduction; and providing other matters properly relating thereto.

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

- 1 WHEREAS, The intended goal of the Legislature is to achieve a pupil-  
2 teacher ratio of not more than 15 pupils per teacher or 30 pupils per two  
3 teachers in kindergarten and grades 1, 2 and 3 where core curriculum is  
4 taught; and  
5 WHEREAS, Available money is estimated to provide a sufficient number  
6 of teachers to achieve in each school district pupil-teacher ratios of 16  
7 pupils per teacher in selected kindergarten classrooms in which pupils are  
8 most at risk of failure and in grades 1 and 2 in fiscal years 2001-2002 and  
9 2002-2003, and to achieve a pupil-teacher ratio in grade 3 of 19 pupils per  
10 teacher in fiscal years 2001-2002 and 2002-2003; and  
11 WHEREAS, Certain school districts do not have a sufficient number of  
12 classrooms available to permit an average class size of 19 pupils per  
13 teacher in grade 3; and  
14 WHEREAS, It is unreasonable to assign two teachers to classrooms of 38  
15 pupils to attain a district-wide pupil-teacher ratio of 19 pupils per teacher in  
16 grade 3; and  
17 WHEREAS, School districts may, instead, attain the desired pupil-teacher  
18 ratio in classes where core curriculum is taught by using alternative  
19 methods of reducing the ratio, such as employing teachers to provide  
20 remedial instruction; and  
21 WHEREAS, School districts may wish to use money for class-size  
22 reduction to carry out programs that have been found to be effective in  
23 improving academic achievement; and



1 WHEREAS, The Legislature has specifically designed the laws relating to  
2 class-size reduction to allow the local school districts the necessary  
3 discretion to effectuate the reduction in the manner appropriate in their  
4 respective districts; and

5 WHEREAS, School districts are encouraged, to the extent possible, to  
6 reduce the pupil-teacher ratio in each classroom in the district in the grades  
7 for which additional funding is provided; and

8 WHEREAS, With this act, the Legislature intends to continue the reduced  
9 pupil-teacher ratio for selected kindergarten classrooms in which pupils are  
10 most at risk of failure and for grades 1 and 2 throughout the state and to  
11 continue reducing the pupil-teacher ratio in grade 3; and

12 WHEREAS, Thereafter, the intended goal of the Legislature is to reduce  
13 the pupil-teacher ratio per class in grade 3 to not more than 15 pupils per  
14 class, thereafter to reduce the pupil-teacher ratio per class in grades 4, 5  
15 and 6 to not more than 22 pupils per class and thereafter to reduce the  
16 pupil-teacher ratio per class in grades 7 to 12, inclusive, to not more than  
17 25 pupils per class; now, therefore,

18  
19 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
20 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
21

22 **Section 1.** 1. There is hereby appropriated from the state general  
23 fund to the state distributive school account the sum of \$91,822,619 for  
24 distribution by the Superintendent of Public Instruction to the county  
25 school districts for fiscal year 2001-2002 which must, except as otherwise  
26 provided in sections 4 and 5 of this act, be used to employ teachers to  
27 comply with the required ratio of pupils to teachers, as set forth in NRS  
28 388.700, in grades 1 and 2 and in selected kindergartens with pupils who  
29 are considered at risk of failure by the Superintendent of Public Instruction  
30 and to maintain the current ratio of pupils per teacher in grade 3.  
31 Expenditures for the class-size reduction program must be accounted for in  
32 a separate category of expenditure in the state distributive school account.

33 2. Except as otherwise provided in sections 4 and 5 of this act, the  
34 money appropriated by subsection 1 must be used to pay the salaries and  
35 benefits of not less than 1,866 teachers employed by school districts to  
36 meet the required pupil-teacher ratios in the 2001-2002 school year.

37 3. Any remaining balance of the sum appropriated by subsection 1  
38 must not be committed for expenditure after June 30, 2002, and must be  
39 transferred and added to the money appropriated to the state distributive  
40 school account pursuant to section 2 of this act for the 2002-2003 fiscal  
41 year, and may be expended as that money is expended.

42 **Sec. 2.** 1. There is hereby appropriated from the state general fund  
43 to the state distributive school account the sum of \$99,730,291 for  
44 distribution by the Superintendent of Public Instruction to the county  
45 school districts for fiscal year 2002-2003 which must, except as otherwise  
46 provided in sections 4 and 5 of this act, be used to employ teachers to  
47 comply with the required ratio of pupils to teachers, as set forth in NRS  
48 388.700, in grades 1 and 2 and in selected kindergartens with pupils who  
49 are considered at risk of failure by the Superintendent of Public Instruction



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1 and to maintain the current ratio of pupils per teacher in grade 3.  
2 Expenditures for the class-size reduction program must be accounted for in  
3 a separate category of expenditure in the state distributive school account.

4 2. Except as otherwise provided in sections 4 and 5 of this act, the  
5 money appropriated by subsection 1 must be used to pay the salaries and  
6 benefits of not less than 1,949 teachers employed by school districts to  
7 meet the required pupil-teacher ratios in the 2002-2003 school year.

8 3. Any remaining balance of the sum appropriated by subsection 1,  
9 including any money added thereto pursuant to section 1 of this act, must  
10 not be committed for expenditure after June 30, 2003, and reverts to the  
11 state general fund as soon as all payments of money committed have been  
12 made.

13 **Sec. 3.** The board of trustees of each county school district:

14 1. Shall file a plan with the Superintendent of Public Instruction  
15 describing how the money appropriated by sections 1 and 2 of this act will  
16 be used to comply with the required ratio of pupils to teachers in  
17 kindergarten and grades 1, 2 and 3; or

18 2. May, after receiving approval of the plan from the Superintendent of  
19 Public Instruction, use the money appropriated by sections 1 and 2 of this  
20 act to carry out an alternative program for reducing the ratio of pupils per  
21 teacher or to carry out programs of remedial education that have been  
22 found to be effective in improving pupil achievement in grades 1, 2 and 3,  
23 so long as the combined ratio of pupils per teacher in the aggregate of  
24 kindergarten and grades 1, 2 and 3 of the school district does not exceed  
25 the combined ratio of pupils per teacher in the aggregate of kindergarten  
26 and grades 1, 2 and 3 of the school district in the 1998-1999 school year.  
27 The plan approved by the Superintendent of Public Instruction must  
28 describe the method to be used by the school district to evaluate the  
29 effectiveness of the alternative program or remedial programs in improving  
30 pupil achievement.

31 **Sec. 4.** 1. The money appropriated for class-size reduction pursuant  
32 to sections 1 and 2 of this act:

33 (a) May be applied first to pupils considered most at risk of failure.

34 (b) Must not be used to settle or arbitrate disputes between a recognized  
35 organization representing employees of a school district and the school  
36 district, or to settle any negotiations.

37 (c) Must not be used to adjust the district-wide schedules of salaries and  
38 benefits of the employees of a school district.

39 2. The money appropriated for class-size reduction pursuant to  
40 sections 1 and 2 of this act must not be distributed to a school district  
41 unless that school district has:

42 (a) Filed with the Department of Education a plan for achieving the  
43 required ratio set forth in NRS 388.700; and

44 (b) Demonstrated that, from resources of the school district other than  
45 allocations received from the state distributive school account for class-size  
46 reduction, a sufficient number of classroom teachers have been employed  
47 to maintain the average pupil-teacher ratio that existed for each grade in  
48 that school district for the 3 school years immediately preceding the start of  
49 the class-size reduction program in the 1990-1991 school year.



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1     **Sec. 5.** 1. The Elko County School District is hereby authorized to  
2 use the money appropriated by sections 1 and 2 of this act to continue in  
3 school years 2001-2002 and 2002-2003 the demonstration project carried  
4 out by the school district pursuant to section 9 of chapter 543, Statutes of  
5 Nevada 1999, at page 2841. The Elko County School District may expand  
6 the demonstration project to include grade 6.  
7     2. If the Elko County School District continues the demonstration  
8 project, the school district shall:  
9     (a) Be deemed in compliance with the pupil-teacher ratios set forth in  
10 NRS 388.700 for the 2001-2002 school year and the 2002-2003 school  
11 year;  
12     (b) Evaluate the effectiveness of the demonstration project in improving  
13 pupil achievement; and  
14     (c) Report its findings in an interim report to the Legislative Committee  
15 on Education on or before February 15, 2002.  
16     3. On or before February 1, 2003, the Elko County School District  
17 shall submit a written report of the results of the evaluation to the  
18 Legislative Bureau of Educational Accountability and Program Evaluation.  
19 On or before February 19, 2003, the Legislative Bureau of Educational  
20 Accountability and Program Evaluation shall submit a copy of the written  
21 evaluation, including any recommendation for legislation, to the Director  
22 of the Legislative Counsel Bureau for transmission to the 72nd session of  
23 the Nevada Legislature.  
24     **Sec. 6.** 1. This section and sections 1, 3, 4 and 5 of this act become  
25 effective on July 1, 2001.  
26     2. Section 2 of this act becomes effective on July 1, 2002.

