

SENATE BILL NO. 44—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
EDUCATION (NRS 218.5352))

PREFILED JANUARY 30, 2003

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions governing class-size reduction
program. (BDR 34-643)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; authorizing school districts to
develop alternative plans for the reduction of pupil-
teacher ratios in certain grades; 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 387.304 is hereby amended to read as follows:
2 387.304 The Department shall:
3 1. Conduct an annual audit of the count of pupils for
4 apportionment purposes reported by each school district pursuant to
5 NRS 387.123 and the data reported by each school district *pursuant*
6 *to NRS 388.710* that is used to measure the effectiveness of the
7 implementation of ~~the~~ *a* plan developed by each school district ~~to~~
8 ~~reduce the pupil teacher ratio in kindergarten and grades 1, 2 and 3,~~
9 as required by NRS ~~388.710.~~ *388.720.*
10 2. Review each school district's report of the annual audit
11 conducted by a public accountant as required by NRS 354.624, and
12 the annual report prepared by each district as required by NRS
13 387.303, and report the findings of the review to the State Board and
14 the Legislative Committee on Education, with any recommendations



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1 for legislation, revisions to regulations or training needed by school
2 district employees. The report by the Department must identify
3 school districts which failed to comply with any statutes or
4 administrative regulations of this state or which had any:

- 5 (a) Long-term obligations in excess of the general obligation
6 debt limit;
7 (b) Deficit fund balances or retained earnings in any fund;
8 (c) Deficit cash balances in any fund;
9 (d) Variances of more than 10 percent between total general
10 fund revenues and budgeted general fund revenues; or
11 (e) Variances of more than 10 percent between total actual
12 general fund expenditures and budgeted total general fund
13 expenditures.

14 3. In preparing its biennial budgetary request for the State
15 Distributive School Account, consult with the Superintendent of
16 Schools of each school district or a person designated by the
17 Superintendent.

18 4. Provide, in consultation with the Budget Division of the
19 Department of Administration and the Fiscal Analysis Division of
20 the Legislative Counsel Bureau, training to the financial officers of
21 school districts in matters relating to financial accountability.

22 **Sec. 2.** NRS 388.700 is hereby amended to read as follows:

23 388.700 1. Except as otherwise provided in subsections 2, 3
24 and 6, after the last day of the first month of the school year, the
25 ratio in each school district of pupils per class ~~in kindergarten and~~
26 ~~grades 1, 2 and 3~~ per licensed teacher designated to teach those
27 classes full time ~~must not exceed 15 to 1~~ in classes where core
28 curriculum is taught ~~is~~:

29 (a) *In kindergarten and grades 1, 2 and 3, must not exceed 15*
30 *to 1; or*

31 (b) *If a plan is developed by a school district pursuant to*
32 *subsection 2 of NRS 388.720, must not exceed the ratio set forth in*
33 *that plan for the grade levels specified in the plan.*

34 In determining this ratio, all licensed educational personnel who
35 teach ~~in kindergarten or grade 1, 2 or 3~~ *a grade level specified in*
36 *paragraph (a) or a grade level specified in a plan that is developed*
37 *pursuant to subsection 2 of NRS 388.720, as applicable for the*
38 *school district*, must be counted except teachers of art, music,
39 physical education or special education, counselors, librarians,
40 administrators, deans and specialists.

41 2. A school district may, within the limits of any plan adopted
42 pursuant to NRS 388.720, assign a pupil whose enrollment in a
43 grade occurs after the last day of the first month of the school year
44 to any existing class regardless of the number of pupils in the class.



1 3. The State Board may grant to a school district a variance
2 from the limitation on the number of pupils per class set forth in
3 subsection 1 for good cause, including the lack of available financial
4 support specifically set aside for the reduction of pupil-teacher
5 ratios.

6 4. The State Board shall, on or before February 1 of each
7 odd-numbered year, report to the Legislature on:

8 (a) Each variance granted by it during the preceding biennium,
9 including the specific justification for the variance.

10 (b) The data reported to it by the various school districts
11 pursuant to subsection 2 of NRS 388.710, including an explanation
12 of that data, and the current pupil-teacher ratios per class in
13 ~~[kindergarten and grades 1, 2 and 3.]~~ *the grade levels specified in*
14 *paragraph (a) of subsection 1 or the grade levels specified in a*
15 *plan that is developed pursuant to subsection 2 of NRS 388.720, as*
16 *applicable, for each school district.*

17 5. The Department shall, on or before November 15 of each
18 year, report to the Chief of the Budget Division of the Department
19 of Administration and the Fiscal Analysis Division of the
20 Legislative Counsel Bureau:

21 (a) The number of teachers employed;

22 (b) The number of teachers employed in order to attain the ratio
23 required by subsection 1;

24 (c) The number of pupils enrolled; and

25 (d) The number of teachers assigned to teach in the same
26 classroom with another teacher or in any other arrangement other
27 than one teacher assigned to one classroom of pupils,
28 during the current school year in ~~[kindergarten and grades 1, 2 and~~
29 ~~3.]~~ *the grade levels specified in paragraph (a) of subsection 1 or the*
30 *grade levels specified in a plan that is developed pursuant to*
31 *subsection 2 of NRS 388.720, as applicable,* for each school
32 district.

33 6. The provisions of this section do not apply to a charter
34 school or to a program of distance education provided pursuant to
35 NRS 388.820 to 388.874, inclusive.

36 **Sec. 3.** NRS 388.710 is hereby amended to read as follows:

37 388.710 1. The State Board, in consultation with the trustees
38 of the school districts and the recognized associations representing
39 licensed educational personnel, after receiving comments from the
40 general public, shall determine the data that must be monitored by
41 each school district and used to measure the effectiveness of the
42 implementation of ~~[the]~~ *a plan developed by each school district* ~~[to~~
43 ~~reduce the pupil-teacher ratio per class in kindergarten and grades 1,~~
44 ~~2 and 3.]~~ *pursuant to NRS 388.720.*



1 2. Each school district shall report the data to the State Board
2 as required by the State Board.

3 **Sec. 4.** NRS 388.720 is hereby amended to read as follows:
4 388.720 ~~{Each}~~

5 ***1. Except as otherwise provided in subsection 2, each*** school
6 district together with the recognized associations representing
7 licensed educational personnel shall develop a plan to reduce the
8 district's pupil-teacher ratio per class in kindergarten and grades 1, 2
9 and 3 within the limits of available financial support specifically set
10 aside for this purpose and submit that plan to the State Board.

11 ***2. In lieu of complying with the pupil-teacher ratio prescribed***
12 ***in paragraph (a) of subsection 1 of NRS 388.700, a school district***
13 ***may, in consultation with recognized associations representing***
14 ***licensed educational personnel, develop a plan to reduce the***
15 ***district's pupil-teacher ratios in elementary school within the***
16 ***limits of available financial support specifically set aside for***
17 ***the reduction of pupil-teacher ratios in kindergarten and grades 1,***
18 ***2 and 3. A plan developed pursuant to this subsection must be***
19 ***designed to reduce the pupil-teacher ratios per class to not more***
20 ***than 22 pupils per teacher for:***

21 ***(a) Kindergarten and grades 1 to 6, inclusive, for those***
22 ***elementary schools within the school district that include grade 6.***

23 ***(b) Kindergarten and grades 1 to 5, inclusive, for those***
24 ***elementary schools within the school district that do not include***
25 ***grade 6.***

26 ***A plan developed pursuant to this subsection must be submitted to***
27 ***the State Board.***

28 **Sec. 5.** This act becomes effective on July 1, 2003.

