

ASSEMBLY BILL NO. 228—ASSEMBLYMEN MCCLEARY, PARNELL,  
MANENDO, MUNFORD, CLABORN, ANDERSON, ATKINSON,  
BUCKLEY, CONKLIN, GERHARDT, KOIVISTO, MCCLAIN,  
MORTENSON, OCEGUERA, PARKS AND PIERCE

MARCH 21, 2005

Referred to Concurrent Committees on Education  
and Ways and Means

SUMMARY—Makes various changes concerning compensation of  
teachers and requires Department of Education to  
study effectiveness of financial incentives.  
(BDR 34-440)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 2, 5)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 educational personnel; prescribing a minimum  
base salary for certain teachers; requiring the board of  
trustees of each school district to increase the annual base  
salary of each licensed teacher in the district by a certain  
percentage; requiring the Department of Education to  
establish a task force to study the effectiveness of  
financial incentives on the recruitment and retention of  
qualified teachers; and providing other matters properly  
relating thereto.

**Legislative Counsel's Digest:**

1 Existing law establishes the guidelines by which a school district must  
2 determine the salaries of licensed teachers and other school personnel.  
3 (NRS 391.160)

4 This bill requires a school district to pay a teacher who is initially hired on or  
5 after July 1, 2007, not less than \$32,500 annually. All school districts are required  
6 to adjust the schedule of salaries of the school district for licensed teachers to  
7 ensure that each step on the schedule is increased accordingly. This bill also  
8 requires the annual base salary of all licensed teachers to be cumulatively increased,



commencing on July 1, 2007, by any percentage by which the Consumer Price Index increases for the preceding calendar year, plus 1 percent in addition to any other increase to which the teacher may be entitled. The annual base salary of a teacher may not decrease, however, if the Consumer Price Index decreases for a calendar year.

This bill further requires the Department of Education to establish a task force to conduct a study of the effectiveness of financial incentives in recruiting and retaining qualified teachers. The task force must examine the effectiveness of programs that require the purchase of retirement credits for certain teachers and that provide signing bonuses for newly hired teachers. The task force must submit a report of its findings and recommendations to the State Board of Education and to the Legislature.

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WHEREAS, An effective system of public instruction in this State is essential to the success of Nevada's children and other residents of this State; and

WHEREAS, The retention of qualified, competent and experienced teachers is vital to a strong system of public instruction; and

WHEREAS, Teachers in this State may leave the profession for higher-paying jobs offered by other professions; and

WHEREAS, The salaries of teachers should be established to:

1. Attract persons with the appropriate education and characteristics to select teaching as a career;

2. Retain qualified, competent and experienced teachers; and

3. Provide teachers with the opportunity to achieve a reasonable salary that is commensurate with experience, education and responsibilities; and

WHEREAS, The salaries of teachers in this State should be established with the goal of ensuring that the teaching profession is in a position to compete effectively with other professions for talented persons who might consider the teaching profession, but who are attracted to other, higher-paying professions; now, therefore,

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

**Section 1.** NRS 387.303 is hereby amended to read as follows:

387.303 1. Not later than November 10 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction and the Department of Taxation a report which includes the following information:

- (a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of



1 licensed and nonlicensed persons whose salaries are paid from the  
2 fund and who are employed by the school district in full-time  
3 positions or in part-time positions added together to represent full-  
4 time positions. Information must be provided for the current school  
5 year based upon the school district's final budget, including any  
6 amendments and augmentations thereto, and for the preceding  
7 school year. An employee must be categorized as filling an  
8 instructional, administrative, instructional support or other position.

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

11 (c) The school district's actual expenditures in the fiscal year  
12 immediately preceding the report.

13 (d) The school district's proposed expenditures for the current  
14 fiscal year.

15 (e) The schedule of salaries for licensed employees in the  
16 current school year and a statement of whether the negotiations  
17 regarding salaries for the current school year have been completed.  
18 If the negotiations have not been completed at the time the schedule  
19 of salaries is submitted, the board of trustees shall submit a  
20 supplemental report to the Superintendent of Public Instruction upon  
21 completion of negotiations or the determination of an arbitrator  
22 concerning the negotiations that includes the schedule of salaries  
23 agreed to or required by the arbitrator.

24 (f) The number of teachers who received an increase in salary  
25 pursuant to subsection ~~2~~ 4 of NRS 391.160 for the current and  
26 preceding fiscal years. If the board of trustees is required to pay an  
27 increase in salary retroactively pursuant to subsection ~~2~~ 4 of NRS  
28 391.160, the board of trustees shall submit a supplemental report to  
29 the Superintendent of Public Instruction not later than February 15  
30 of the year in which the retroactive payment was made that includes  
31 the number of teachers to whom an increase in salary was paid  
32 retroactively.

33 (g) The number of employees eligible for health insurance  
34 within the school district for the current and preceding fiscal years  
35 and the amount paid for health insurance for each such employee  
36 during those years.

37 (h) The rates for fringe benefits, excluding health insurance,  
38 paid by the school district for its licensed employees in the  
39 preceding and current fiscal years.

40 (i) The amount paid for extra duties, supervision of  
41 extracurricular activities and supplemental pay and the number of  
42 employees receiving that pay in the preceding and current fiscal  
43 years.



(j) The expenditures from the account created pursuant to subsection ~~3~~ 4 of NRS 179.1187. The report must indicate the total amount received by the district in the preceding fiscal year, and the specific amount spent on books and computer hardware and software for each grade level in the district.

2. On or before November 25 of each year, the Superintendent of Public Instruction shall submit to the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format approved by the Director of the Department of Administration, a compilation of the reports made by each school district pursuant to subsection 1.

3. The Superintendent of Public Instruction shall, in the compilation required by subsection 2, reconcile the revenues and expenditures of the school districts with the apportionment received by those districts from the State Distributive School Account for the preceding year.

**Sec. 2.** NRS 391.160 is hereby amended to read as follows:

391.160 1. The salaries of teachers and other employees must be determined by the character of the service required. A school district shall not discriminate between male and female employees in the matter of salary.

2. *The board of trustees of each school district shall adjust the schedule of salaries of the school district to ensure that the starting salary of each licensed teacher who is initially hired by the school district on or after July 1, 2007, is at least \$32,500 annually. For the purposes of this subsection, a person is not "initially hired" if he has been employed as a licensed teacher by another school district or charter school in this State without an interruption in employment before the date of hire by his current employer.*

3. *The annual base salary of a licensed teacher who is employed by a school district must be cumulatively increased on July 1, 2007, and on July 1 of each year thereafter, by any percentage by which the Consumer Price Index (All Items) published by the United States Department of Labor increased, if applicable, for the preceding calendar year, plus 1 percent. An increase in salary given in accordance with this subsection is in addition to any other increase to which the teacher may otherwise be entitled, including, without limitation, the increase provided pursuant to subsection 4. If the Consumer Price Index decreases for a calendar year, the annual base salary of a teacher must not be decreased in accordance with the percentage of decrease in the Consumer Price Index.*

4. Each year when determining the salary of a teacher who holds certification issued by the National Board for Professional



1 Teaching Standards, a school district shall add 5 percent to the  
2 salary that the teacher would otherwise receive in 1 year for his  
3 classification on the schedule of salaries for the school district if:

4 (a) On or before January 31 of the school year, the teacher has  
5 submitted evidence satisfactory to the school district of his current  
6 certification; and

7 (b) The teacher is assigned by the school district to provide  
8 classroom instruction during that school year.

9 ➔ No increase in salary may be given during a particular school  
10 year to a teacher who submits evidence of certification after  
11 January 31 of that school year. For the first school year that a  
12 teacher submits evidence of his current certification, the board of  
13 trustees of the school district to whom the evidence was submitted  
14 shall pay the increase in salary required by this subsection  
15 retroactively to the beginning of that school year. Once a teacher has  
16 submitted evidence of such certification to the school district, the  
17 school district shall retain the evidence in its records, as applicable,  
18 for future school years. An increase in salary given in accordance  
19 with this subsection is in addition to any other increase to which the  
20 teacher may otherwise be entitled.

21 ~~{3-}~~ 5. In determining the salary of a licensed teacher who is  
22 employed by a school district after the teacher has been employed  
23 by another school district in this State, the present employer shall,  
24 except as otherwise provided in subsection ~~{6-}~~ 8:

25 (a) Give the teacher the same credit for previous teaching  
26 service as he was receiving from his former employer at the end of  
27 his former employment;

28 (b) Give the teacher credit for his final year of service with his  
29 former employer, if credit for that service is not included in credit  
30 given pursuant to paragraph (a); and

31 (c) Place the teacher on the schedule of salaries of the school  
32 district in a classification that is commensurate with the level of  
33 education acquired by the teacher, as set forth in the applicable  
34 negotiated agreement with the present employer.

35 ~~{4-}~~ 6. A school district may give the credit required by  
36 subsection ~~{3-}~~ 5 for previous teaching service earned in another state  
37 if the Commission has approved the standards for licensing teachers  
38 of that state. The Commission shall adopt regulations that establish  
39 the criteria by which the Commission will consider the standards for  
40 licensing teachers of other states for the purposes of this subsection.  
41 The criteria may include, without limitation, whether the  
42 Commission has authorized reciprocal licensure of educational  
43 personnel from the state under consideration.

44 ~~{5-}~~ 7. In determining the salary of a licensed administrator,  
45 other than the superintendent of schools, who is employed by a



1 school district after the administrator has been employed by another  
2 school district in this State, the present employer shall, except as  
3 otherwise provided in subsection ~~[6-]~~ 8:

4 (a) Give the administrator the same credit for previous  
5 administrative service as he was receiving from his former  
6 employer, at the end of his former employment;

7 (b) Give the administrator credit for his final year of service  
8 with his former employer, if credit for that service is not otherwise  
9 included in the credit given pursuant to paragraph (a); and

10 (c) Place the administrator on the schedule of salaries of the  
11 school district in a classification that is comparable to the  
12 classification the administrator had attained on the schedule of  
13 salaries of his former employer.

14 ~~[6-]~~ 8. This section does not:

15 (a) Require a school district to allow a teacher or administrator  
16 more credit for previous teaching or administrative service than the  
17 maximum credit for teaching or administrative experience provided  
18 for in the schedule of salaries established by it for its licensed  
19 personnel.

20 (b) Permit a school district to deny a teacher or administrator  
21 credit for his previous teaching or administrative service on the  
22 ground that the service differs in kind from the teaching or  
23 administrative experience for which credit is otherwise given by the  
24 school district.

25 ~~[7-]~~ 9. As used in this section:

26 (a) "Previous administrative service" means the total of:

27 (1) Any period of administrative service for which an  
28 administrator received credit from his former employer at the  
29 beginning of his former employment; and

30 (2) His period of administrative service in his former  
31 employment.

32 (b) "Previous teaching service" means the total of:

33 (1) Any period of teaching service for which a teacher  
34 received credit from his former employer at the beginning of his  
35 former employment; and

36 (2) His period of teaching service in his former employment.

37 **Sec. 3.** 1. The Department of Education shall establish a task  
38 force to conduct a study of the effectiveness of financial incentives  
39 in recruiting and retaining qualified teachers, consisting of the  
40 following members:

41 (a) The Superintendent of Public Instruction, or his designee.

42 (b) One employee from each school district who is responsible  
43 for recruiting teachers for the school district, appointed by the  
44 superintendent of schools of that school district.



(c) One representative of the Nevada State Education Association, appointed by the President of that Association.

(d) Two teachers employed by the Clark County School District, appointed by the superintendent of schools of that school district.

(e) Two teachers employed by the Washoe County School District, appointed by the superintendent of schools of that school district.

(f) From two rural school districts selected by the Department of Education, two teachers appointed by the superintendent of schools in each of the selected school districts.

➤ All appointments to the task force must be made on or before September 1, 2005.

2. The task force shall elect a chairman from among its members.

3. The Department of Education shall provide:

(a) Administrative support to the task force; and

(b) All information that is necessary for the task force to carry out its duties.

4. A member of the task force who is not a state officer or employee is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally for each day or portion of a day during which he attends a meeting of the task force or is otherwise engaged in the business of the task force. The Department of Education shall pay the per diem allowances and travel expenses required by this subsection.

**Sec. 4.** The task force created pursuant to section 3 of this act shall:

1. Study the effectiveness of financial incentives in attracting and retaining qualified teachers, including, without limitation, the signing bonuses provided to newly hired teachers by the 71st Session of the Legislature, section 4 of chapter 574, Statutes of Nevada 2001, at page 2899, and by the 72nd Session of the Legislature, paragraph (c) of subsection 2 of section 33 of chapter 327, Statutes of Nevada 2003, at page 1837, and the purchase of retirement credit required by NRS 391.165.

2. Determine whether the financial incentives studied pursuant to this section:

(a) Act as effective tools in recruiting and retaining qualified teachers;

(b) Create a disparity that negatively impacts the retention of teachers who do not receive the incentives; and

(c) Dissipate over time as effective tools for recruiting and retaining qualified teachers.

3. Determine the financial incentives that are most effective in recruiting and retaining qualified teachers, the appropriate level of



1 those financial incentives and the feasibility of providing those  
2 incentives to licensed teachers in this State.

3 4. On or before February 1, 2007, submit a report of its  
4 findings and any recommendations to the State Board of Education  
5 and the Director of the Legislative Counsel Bureau for transmission  
6 to the 74th Session of the Nevada Legislature.

7 **Sec. 5.** The board of trustees of each school district shall  
8 adjust each step on the schedule of salaries of the school district for  
9 licensed teachers, hired before July 1, 2007, to ensure that the salary  
10 of each step is increased by a percentage that is commensurate with  
11 the percentage of the increase on the schedule of salaries necessary  
12 to make the annual starting salary of a licensed teacher \$32,500 in  
13 accordance with NRS 391.160, as amended by this act. The  
14 adjustments required by this section must be effective for the 2007-  
15 2008 school year and thereafter.

16 **Sec. 6.** The provisions of NRS 354.599 do not apply to any  
17 additional expenses of a local government that are related to the  
18 provisions of this act.

19 **Sec. 7.** This act becomes effective on July 1, 2005.

