

ASSEMBLY BILL NO. 373—ASSEMBLYMEN PARNELL, MCCLEARY,
CONKLIN, HOLCOMB, KOIVISTO, MCCLAIN AND SMITH

MARCH 23, 2005

Referred to Committee on Ways and Means

SUMMARY—Requires increased salaries for certain speech pathologists employed by school districts. (BDR 34-1171)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 2, 3)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~fomitted-material~~ is material to be omitted.

AN ACT relating to education; requiring the boards of trustees of school districts to pay increased salaries to certain speech pathologists who are employed by those districts; 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 387.303 is hereby amended to read as follows:
2 387.303 1. Not later than November 10 of each year, the
3 board of trustees of each school district shall submit to the
4 Superintendent of Public Instruction and the Department of
5 Taxation a report which includes the following information:
6 (a) For each fund within the school district, including, without
7 limitation, the school district's general fund and any special revenue
8 fund which receives state money, the total number and salaries of
9 licensed and nonlicensed persons whose salaries are paid from the
10 fund and who are employed by the school district in full-time
11 positions or in part-time positions added together to represent full-
12 time positions. Information must be provided for the current school
13 year based upon the school district's final budget, including any
14 amendments and augmentations thereto, and for the preceding



1 school year. An employee must be categorized as filling an
2 instructional, administrative, instructional support or other position.

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

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

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

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

18 (f) The number of ~~teachers~~ *employees* who received an
19 increase in salary pursuant to subsection 2 *or* 3 of NRS 391.160 for
20 the current and preceding fiscal years. If the board of trustees is
21 required to pay an increase in salary retroactively pursuant to
22 subsection 2 of NRS 391.160, the board of trustees shall submit a
23 supplemental report to the Superintendent of Public Instruction not
24 later than February 15 of the year in which the retroactive payment
25 was made that includes the number of teachers to whom an increase
26 in salary was paid retroactively.

27 (g) The number of employees eligible for health insurance
28 within the school district for the current and preceding fiscal years
29 and the amount paid for health insurance for each such employee
30 during those years.

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

34 (i) The amount paid for extra duties, supervision of
35 extracurricular activities and supplemental pay and the number of
36 employees receiving that pay in the preceding and current fiscal
37 years.

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

43 2. On or before November 25 of each year, the Superintendent
44 of Public Instruction shall submit to the Department of
45 Administration and the Fiscal Analysis Division of the Legislative



1 Counsel Bureau, in a format approved by the Director of the
2 Department of Administration, a compilation of the reports made by
3 each school district pursuant to subsection 1.

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

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

10 391.160 1. The salaries of teachers and other employees must
11 be determined by the character of the service required. A school
12 district shall not discriminate between male and female employees
13 in the matter of salary.

14 2. Each year when determining the salary of a teacher who
15 holds certification issued by the National Board for Professional
16 Teaching Standards, a school district shall add 5 percent to the
17 salary that the teacher would otherwise receive in 1 year for his
18 classification on the schedule of salaries for the school district if:

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

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

24 ➤ No increase in salary may be given *pursuant to this subsection*
25 during a particular school year to a teacher who submits evidence of
26 certification after January 31 of that school year. For the first school
27 year that a teacher submits evidence of his current certification, the
28 board of trustees of the school district to whom the evidence was
29 submitted shall pay the increase in salary required by this subsection
30 retroactively to the beginning of that school year. Once a teacher has
31 submitted evidence of such certification to the school district, the
32 school district shall retain the evidence in its records, as applicable,
33 for future school years. An increase in salary given in accordance
34 with this subsection is in addition to any other increase to which the
35 teacher may otherwise be entitled.

36 3. *Each year when determining the salary of a person who is*
37 *employed by a school district as a speech pathologist, the school*
38 *district shall add 5 percent to the salary that the employee would*
39 *otherwise receive in 1 year for his classification on the schedule of*
40 *salaries for the school district if:*

41 (a) *On or before September 15 of the school year, the employee*
42 *has submitted evidence satisfactory to the school district of his:*

43 (1) *Licensure as a speech pathologist by the Board of*
44 *Examiners for Audiology and Speech Pathology; and*



(2) *Certification as being clinically competent in speech-language pathology by:*

(I) *The American Speech-Language-Hearing Association; or*

(II) *A successor organization to the American Speech-Language-Hearing Association that is recognized and determined to be acceptable by the Board of Examiners for Audiology and Speech Pathology; and*

(b) *The employee is assigned by the school district to serve as a speech pathologist during the school year.*

↪ No increase in salary may be given pursuant to this subsection during a particular school year to an employee who submits evidence of licensure and certification after September 15 of that school year. Once an employee has submitted evidence of such licensure and certification to the school district, the school district shall retain the evidence in its records, as applicable, for future school years. An increase in salary given in accordance with this subsection is in addition to any other increase to which the employee may otherwise be entitled.

4. In determining the salary of a licensed teacher who is employed by a school district after the teacher has been employed by another school district in this State, the present employer shall, except as otherwise provided in subsection ~~{6:}~~ 7:

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

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

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

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

~~{5:}~~ 6. In determining the salary of a licensed administrator, other than the superintendent of schools, who is employed by a school district after the administrator has been employed by another



1 school district in this State, the present employer shall, except as
2 otherwise provided in subsection ~~6~~ 7:

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

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

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

13 ~~6~~ 7. This section does not:

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

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

24 ~~7~~ 8. As used in this section:

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

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

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

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

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

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

36 **Sec. 3.** Notwithstanding the provisions of NRS 391.160, as
37 amended by this act:

38 1. A speech pathologist who desires to receive an increase in
39 salary for the 2005-2006 school year pursuant to subsection 3 of
40 NRS 391.160, as amended by this act, may submit evidence of his
41 licensure and certification not later than November 1, 2005.

42 2. If a speech pathologist:

43 (a) Submits evidence of his licensure and certification on or
44 before November 1, 2005; and



(b) Satisfies the requirements of paragraph (b) of subsection 3 of NRS 391.160, as amended by this act,

→ the board of trustees of the school district that employs the speech pathologist shall pay to the speech pathologist the increase in salary required by subsection 3 of NRS 391.160, as amended by this act, retroactively to the beginning of the 2005-2006 school year.

Sec. 4. The provisions of subsection 1 of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 5. This act becomes effective on July 1, 2005.



