

ASSEMBLY BILL NO. 575—COMMITTEE ON WAYS AND MEANS

JUNE 5, 2005

Referred to Committee on Ways and Means

SUMMARY—Makes appropriations to State Distributive School Account for class-size reduction. (BDR S-1492)

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.

1 WHEREAS, The intended goal of the Legislature is to achieve a
2 pupil-teacher ratio of not more than 15 pupils per teacher or 30
3 pupils per two teachers in kindergarten and grades 1, 2 and 3 where
4 core curriculum is taught; and

5 WHEREAS, Available money is estimated to provide a sufficient
6 number of teachers to achieve in each school district pupil-teacher
7 ratios of 16 pupils per teacher in selected kindergarten classrooms in
8 which pupils are most at risk of failure and in grades 1 and 2 in
9 Fiscal Years 2005-2006 and 2006-2007, and to achieve a pupil-
10 teacher ratio in grade 3 of 19 pupils per teacher in Fiscal Years
11 2005-2006 and 2006-2007; and

12 WHEREAS, Certain school districts do not have a sufficient
13 number of classrooms available to permit an average class size of 19
14 pupils per teacher in grade 3; and

15 WHEREAS, It is unreasonable to assign two teachers to
16 classrooms of 38 pupils to attain a district-wide pupil-teacher ratio
17 of 19 pupils per teacher in grade 3; and

18 WHEREAS, School districts may, instead, attain the desired
19 pupil-teacher ratio in classes where core curriculum is taught by



1 using alternative methods of reducing the ratio, such as employing
2 teachers to provide remedial instruction; and

3 WHEREAS, School districts may wish to use money for class-
4 size reduction to carry out programs that have been found to be
5 effective in improving academic achievement; and

6 WHEREAS, The Legislature has specifically designed the laws
7 relating to class-size reduction to allow the local school districts the
8 necessary discretion to effectuate the reduction in the manner
9 appropriate in their respective districts; and

10 WHEREAS, School districts are encouraged, to the extent
11 possible, to further reduce the pupil-teacher ratio in each classroom
12 in the district for grades 1, 2 and 3 for which additional funding is
13 provided; and

14 WHEREAS, With this act, the Legislature intends to continue the
15 reduced pupil-teacher ratio for selected kindergarten classrooms in
16 which pupils are most at risk of failure and for grades 1 and 2
17 throughout the State and to continue reducing the pupil-teacher ratio
18 in grade 3; and

19 WHEREAS, Thereafter, the intended goal of the Legislature is to
20 reduce the pupil-teacher ratio per class in grade 3 to not more than
21 15 pupils per class, thereafter to reduce the pupil-teacher ratio per
22 class in grades 4, 5 and 6 to not more than 22 pupils per class and
23 thereafter to reduce the pupil-teacher ratio per class in grades 7 to
24 12, inclusive, to not more than 25 pupils per class; now, therefore,

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26 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
27 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
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29 **Section 1.** 1. There is hereby appropriated from the State
30 General Fund to the State Distributive School Account the sum of
31 \$125,552,187 for distribution by the Superintendent of Public
32 Instruction to the county school districts for Fiscal Year 2005-2006
33 which must, except as otherwise provided in sections 3 and 4 of this
34 act, be used to employ teachers to comply with the required ratio of
35 pupils to teachers, as set forth in NRS 388.700, in grades 1 and 2
36 and in selected kindergartens with pupils who are considered at risk
37 of failure by the Superintendent of Public Instruction and to
38 maintain the current ratio of pupils per teacher in grade 3.
39 Expenditures for the class-size reduction program must be
40 accounted for in a separate category of expenditure in the State
41 Distributive School Account.

42 2. Except as otherwise provided in sections 3 and 4 of this act,
43 the money appropriated by subsection 1 must be used to pay the
44 salaries and benefits of not less than 2,107 teachers employed by



1 school districts to meet the required pupil-teacher ratios in the 2005-
2 2006 school year.

3 3. Any remaining balance of the sum appropriated by
4 subsection 1 must not be committed for expenditure after June 30,
5 2006, and must be transferred and added to the money appropriated
6 to the State Distributive School Account pursuant to section 2 of
7 this act for the 2006-2007 Fiscal Year, and may be expended as that
8 money is expended.

9 **Sec. 2.** 1. There is hereby appropriated from the State
10 General Fund to the State Distributive School Account the sum of
11 \$137,922,619 for distribution by the Superintendent of Public
12 Instruction to the county school districts for Fiscal Year 2006-2007
13 which must, except as otherwise provided in sections 3 and 4 of this
14 act, be used to employ teachers to comply with the required ratio of
15 pupils to teachers, as set forth in NRS 388.700, in grades 1 and 2
16 and in selected kindergartens with pupils who are considered at risk
17 of failure by the Superintendent of Public Instruction and to
18 maintain the current ratio of pupils per teacher in grade 3.
19 Expenditures for the class-size reduction program must be
20 accounted for in a separate category of expenditure in the State
21 Distributive School Account.

22 2. Except as otherwise provided in sections 3 and 4 of this act,
23 the money appropriated by subsection 1 must be used to pay the
24 salaries and benefits of not less than 2,197 teachers employed by
25 school districts to meet the required pupil-teacher ratios in the 2006-
26 2007 school year.

27 3. Any remaining balance of the sum appropriated by
28 subsection 1, including any money added thereto pursuant to section
29 1 of this act, must not be committed for expenditure after June 30,
30 2007, and must be reverted to the State General Fund on or before
31 September 21, 2007.

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

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

37 2. May, after receiving approval of the plan from the
38 Superintendent of Public Instruction, use the money appropriated by
39 sections 1 and 2 of this act to carry out:

40 (a) An alternative program for reducing the ratio of pupils per
41 teacher, including, without limitation, any legislatively approved
42 program of flexibility; or

43 (b) Programs of remedial education that have been found to be
44 effective in improving pupil achievement in grades 1, 2 and 3, so
45 long as the combined ratio of pupils per teacher in the aggregate of



1 kindergarten and grades 1, 2 and 3 of the school district does not
2 exceed the combined ratio of pupils per teacher in the aggregate of
3 kindergarten and grades 1, 2 and 3 of the school district in the 2002-
4 2003 school year.

5 ➡ The plan approved by the Superintendent of Public Instruction
6 must describe the method to be used by the school district to
7 evaluate the effectiveness of the alternative program or remedial
8 programs in improving pupil achievement.

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

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

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

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

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

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

23 (b) Demonstrated that, from resources of the school district
24 other than allocations received from the State Distributive School
25 Account for class-size reduction, a sufficient number of classroom
26 teachers have been employed to maintain the average pupil-teacher
27 ratio that existed for each grade for grades 1, 2 and 3, in that school
28 district for the 3 school years immediately preceding the start of the
29 class-size reduction program in the 1990-1991 school year.

30 **Sec. 5.** 1. This section and sections 1, 3 and 4 of this act
31 become effective on July 1, 2005.

32 2. Section 2 of this act becomes effective on July 1, 2006.

