

SENATE BILL NO. 305—SENATORS BEERS, HARDY,
CEGAVSKE AND TIFFANY

MARCH 24, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Limits number of administrators employed by school districts. (BDR 34-941)

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 educational personnel; limiting the number of administrators that may be employed by the board of trustees of a school district to provide administrative service at the district level; and providing other matters properly relating thereto.

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

Section 1. Chapter 391 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of a school district shall not employ a number of administrators that is greater than half of the number of public schools within the school district, excluding the charter schools within the school district.

2. On or before December 1 of each year, the board of trustees of each school district shall prepare a report indicating, for the current school year, the:

(a) Total number of administrators employed by the school district; and

(b) Total number of public schools within the school district, excluding the charter schools within the school district.

3. The report prepared pursuant to subsection 2 must be submitted to the:

(a) Department; and



(b) Director of the Legislative Counsel Bureau for transmission to:

(1) If the report is submitted during an even-numbered year, the next regular session of the Legislature; or

(2) If the report is submitted during an odd-numbered year, the Legislative Committee on Education.

4. As used in this section, "administrator" means a person who is on the schedule of salaries of a school district as an administrator and who is employed to provide administrative service at the district level and is not assigned to a particular school for the purpose of providing administrative service.

Sec. 2. NRS 391.100 is hereby amended to read as follows:

391.100 1. ~~The~~ Except as otherwise provided in section 1 of this act, the board of trustees of a school district may employ a superintendent of schools, teachers and all other necessary employees.

2. A person who is initially hired by the board of trustees of a school district on or after January 8, 2002, to teach in a program supported with money from Title I must possess the qualifications required by 20 U.S.C. § 6319(a). For the purposes of this subsection, a person is not "initially hired" if he has been employed as a 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. A person who is employed as a teacher, regardless of the date of hire, must possess, on or before July 1, 2006, the qualifications required by 20 U.S.C. § 6319(a) if he teaches:

(a) English, reading or language arts;

(b) Mathematics;

(c) Science;

(d) Foreign language;

(e) Civics or government;

(f) Economics;

(g) Geography;

(h) History; or

(i) The arts.

4. The board of trustees of a school district:

(a) May employ teacher aides and other auxiliary, nonprofessional personnel to assist licensed personnel in the instruction or supervision of children, either in the classroom or at any other place in the school or on the grounds thereof. A person who is initially hired as a paraprofessional by a school district on or after January 8, 2002, to work in a program supported with Title I money must possess the qualifications required by 20 U.S.C. § 6319(c). A person who is employed as a paraprofessional by a



1 school district, regardless of the date of hire, to work in a program
2 supported with Title I money must possess, on or before January 8,
3 2006, the qualifications required by 20 U.S.C. § 6319(c). For the
4 purposes of this paragraph, a person is not "initially hired" if he has
5 been employed as a paraprofessional by another school district or
6 charter school in this State without an interruption in employment
7 before the date of hire by his current employer.

8 (b) Shall establish policies governing the duties and
9 performance of teacher aides.

10 5. Each applicant for employment pursuant to this section,
11 except a teacher or other person licensed by the Superintendent of
12 Public Instruction, must, as a condition to employment, submit to
13 the school district a full set of his fingerprints and written
14 permission authorizing the school district to forward the fingerprints
15 to the Central Repository for Nevada Records of Criminal History
16 for its report on the criminal history of the applicant and for
17 submission to the Federal Bureau of Investigation for its report on
18 the criminal history of the applicant.

19 6. Except as otherwise provided in subsection 7, the board of
20 trustees of a school district shall not require a licensed teacher or
21 other person licensed by the Superintendent of Public Instruction
22 pursuant to NRS 391.033 who has taken a leave of absence from
23 employment authorized by the school district, including, without
24 limitation:

25 (a) Sick leave;

26 (b) Sabbatical leave;

27 (c) Personal leave;

28 (d) Leave for attendance at a regular or special session of the
29 Legislature of this State if the employee is a member thereof;

30 (e) Maternity leave; and

31 (f) Leave permitted by the Family and Medical Leave Act of
32 1993, 29 U.S.C. §§ 2601 et seq.,

33 ➤ to submit a set of his fingerprints as a condition of return to or
34 continued employment with the school district if the employee is in
35 good standing when the employee began the leave.

36 7. A board of trustees of a school district may ask the
37 Superintendent of Public Instruction to require a person licensed by
38 the Superintendent of Public Instruction pursuant to NRS 391.033
39 who has taken a leave of absence from employment authorized by
40 the school district to submit a set of his fingerprints as a condition of
41 return to or continued employment with the school district if the
42 board of trustees has probable cause to believe that the person has
43 committed a felony or an offense involving moral turpitude during
44 the period of his leave of absence.



1 8. The board of trustees of a school district may employ or
2 appoint persons to serve as school police officers. If the board of
3 trustees of a school district employs or appoints persons to serve as
4 school police officers, the board of trustees shall employ a law
5 enforcement officer to serve as the chief of school police who is
6 supervised by the superintendent of schools of the school district.
7 The chief of school police shall supervise each person appointed or
8 employed by the board of trustees as a school police officer. In
9 addition, persons who provide police services pursuant to subsection
10 9 or 10 shall be deemed school police officers.

11 9. The board of trustees of a school district in a county that has
12 a metropolitan police department created pursuant to chapter 280 of
13 NRS may contract with the metropolitan police department for the
14 provision and supervision of police services in the public schools
15 within the jurisdiction of the metropolitan police department and on
16 property therein that is owned by the school district. If a contract is
17 entered into pursuant to this subsection, the contract must make
18 provision for the transfer of each school police officer employed by
19 the board of trustees to the metropolitan police department. If the
20 board of trustees of a school district contracts with a metropolitan
21 police department pursuant to this subsection, the board of trustees
22 shall, if applicable, cooperate with appropriate local law
23 enforcement agencies within the school district for the provision and
24 supervision of police services in the public schools within the school
25 district and on property owned by the school district, but outside the
26 jurisdiction of the metropolitan police department.

27 10. The board of trustees of a school district in a county that
28 does not have a metropolitan police department created pursuant to
29 chapter 280 of NRS may contract with the sheriff of that county for
30 the provision of police services in the public schools within the
31 school district and on property therein that is owned by the school
32 district.

33 **Sec. 3.** NRS 391.120 is hereby amended to read as follows:

34 391.120 1. ~~{Boards}~~ *Except as otherwise provided in section*
35 *1 of this act, boards* of trustees of the school districts in this State
36 may employ legally qualified teachers and other licensed personnel
37 and may determine their salaries and the length of the term of school
38 for which they are employed. These conditions and any other
39 conditions agreed upon by the parties must be embodied in a written
40 contract, or notice of reemployment, to be approved by the board of
41 trustees and accepted and signed by the employee. A copy of the
42 contract or notice of reemployment, properly written, must be
43 delivered to each teacher or other licensed employee not later than
44 the opening of the term of school.



2. A board of trustees may not employ teachers or other licensed personnel for any school year commencing after the expiration of the time for which any member of the board of trustees was elected or appointed.

3. It is unlawful for the board of trustees of any school district to employ any teacher who is not legally qualified to teach all the grades which the teacher is engaged to teach. The board of trustees shall suspend or terminate, as applicable, the employment of any teacher who fails to maintain a license issued pursuant to this chapter in force, if such a license is required for employment. Any such suspension or termination must comply with the requirements of NRS 391.301 to 391.309, inclusive.

4. On or before November 15 of each year, the school district shall submit to the Department, in a form prescribed by the Superintendent of Public Instruction, the following information for each licensed employee employed by the school district on October 1 of that year:

(a) The amount of salary of the employee; and

(b) The designated assignment, as that term is defined by the Department, ~~{of Education,}~~ of the employee.

Sec. 4. If the number of administrators employed by a school district on July 1, 2005, is greater than half of the number of public schools within the school district, excluding charter schools within the school district, the board of trustees of the school district shall take such steps as are necessary to ensure that the school district complies with section 1 of this act on or before July 1, 2006. As used in this section, the term "administrator" has the meaning ascribed to it in section 1 of this act.

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



