

Senate Bill No. 460—Committee on
Human Resources and Education

CHAPTER.....

AN ACT relating to education; authorizing certain school districts to develop plans for alternative pupil-teacher ratios for grades 1 to 6, inclusive; 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. NRS 387.304 is hereby amended to read as follows:
387.304 The Department shall:

1. Conduct an annual audit of the count of pupils for apportionment purposes reported by each school district pursuant to NRS 387.123 and the data reported by each school district *pursuant to NRS 388.710* that is used to measure the effectiveness of the implementation of ~~the~~ *a* plan developed by each school district to reduce the pupil-teacher ratio ~~in kindergarten and grades 1, 2 and 3,~~ as required by NRS ~~388.710,~~ *388.720.*

2. Review each school district's report of the annual audit conducted by a public accountant as required by NRS 354.624, and the annual report prepared by each district as required by NRS 387.303, and report the findings of the review to the State Board and the Legislative Committee on Education, with any recommendations for legislation, revisions to regulations or training needed by school district employees. The report by the Department must identify school districts which failed to comply with any statutes or administrative regulations of this State or which had any:

(a) Long-term obligations in excess of the general obligation debt limit;

(b) Deficit fund balances or retained earnings in any fund;

(c) Deficit cash balances in any fund;

(d) Variances of more than 10 percent between total general fund revenues and budgeted general fund revenues; or

(e) Variances of more than 10 percent between total actual general fund expenditures and budgeted total general fund expenditures.

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

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

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

388.700 1. Except as otherwise provided in subsections 2, 3 and 6, after the last day of the first month of the school year, the ratio in each school district of pupils ~~[per class in kindergarten and grades 1, 2 and 3]~~ per licensed teacher designated to teach ~~[those classes full-time must not exceed 15 to 1]~~, *on a full-time basis*, in classes where core curriculum is taught ~~[]~~:

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

(b) If a plan is approved pursuant to subsection 3 of NRS 388.720, must not exceed the ratio set forth in that plan for the grade levels specified in the plan.

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

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

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

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

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

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

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

(a) The number of teachers employed;

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

(c) The number of pupils enrolled; and

(d) The number of teachers assigned to teach in the same classroom with another teacher or in any other arrangement other than one teacher assigned to one classroom of pupils,

↳ during the current school year in ~~kindergarten and grades 1, 2 and 3~~ *the grade levels specified in paragraph (a) of subsection 1 or the grade levels specified in a plan that is approved pursuant to subsection 3 of NRS 388.720, as applicable*, for each school district.

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

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

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

pursuant to NRS 388.720.

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

Sec. 4. NRS 388.720 is hereby amended to read as follows:

388.720 ~~Each~~

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

2. *In lieu of complying with the pupil-teacher ratio prescribed in paragraph (a) of subsection 1 of NRS 388.700, a school district in a county whose population is less than 100,000 may, in consultation with the recognized associations representing licensed educational personnel, develop a plan to reduce the district's pupil-teacher ratios per class for specified grade levels in elementary schools. Alternative ratios for grade 6 may only be approved for those school districts that include grade 6 in elementary school. The alternative pupil-teacher ratios must not:*

(a) Exceed 22 to 1 in grades 1, 2 and 3; and

(b) Exceed 25 to 1 in grades 4 and 5 or grades 4, 5 and 6, as applicable.

3. *The State Board shall approve a plan submitted pursuant to subsection 2 if the plan:*

(a) Reduces the district's pupil-teacher ratio in the elementary schools within the school district; and

(b) Is fiscally neutral such that the plan will not cost more to carry out than a plan that complies with the ratios prescribed in paragraph (a) of subsection 1 of NRS 388.700.

Sec. 5. 1. If a school district receives approval to carry out alternative pupil-teacher ratios pursuant to NRS 388.720, as amended by this act, the school district shall evaluate the effectiveness of the alternative program. The evaluation must include, without limitation, the effect of the alternative program on:

- (a) Team teaching;
- (b) Pupil discipline; and
- (c) The academic achievement of pupils.

2. A school district shall submit a written report of the results of the evaluation to the Superintendent of Public Instruction on or before December 1 of each year for the immediately preceding school year. The Superintendent of Public Instruction shall summarize the results of the evaluations and report the findings in an interim report to the Legislative Committee on Education on or before February 1, 2006.

3. On or before February 1, 2007, the Superintendent of Public Instruction shall submit a final written report of the results of the evaluations of alternative class-size reduction programs to the Legislative Bureau of Educational Accountability and Program Evaluation. On or before February 15, 2007, the Legislative Bureau of Educational Accountability and Program Evaluation shall submit a copy of the written report to the Director of the Legislative Counsel Bureau for transmission to the 74th Session of the Nevada Legislature.

4. The interim report required pursuant to subsection 2 and the final written report required pursuant to subsection 3 must include, without limitation:

- (a) The number of school districts for which an alternative class-size reduction program was approved;
- (b) A description of the approved alternative class-size reduction programs; and
- (c) The effect of the alternative class-size reduction programs on:

- (1) Team teaching;
- (2) Pupil discipline; and
- (3) The academic achievement of pupils.

Sec. 6. This act becomes effective on July 1, 2005.