

SENATE BILL NO. 460—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

MARCH 29, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions governing class-size reduction.
(BDR 34-1091)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to education; authorizing 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:

- 1 **Section 1.** NRS 387.304 is hereby amended to read as follows:
2 387.304 The Department shall:
3 1. Conduct an annual audit of the count of pupils for
4 apportionment purposes reported by each school district pursuant to
5 NRS 387.123 and the data reported by each school district *pursuant*
6 *to NRS 388.710* that is used to measure the effectiveness of the
7 implementation of ~~the~~ *a* plan developed by each school district to
8 reduce the pupil-teacher ratio ~~in kindergarten and grades 1, 2 and~~
9 ~~3,~~ as required by NRS ~~388.710,~~ *388.720.*
10 2. Review each school district's report of the annual audit
11 conducted by a public accountant as required by NRS 354.624, and
12 the annual report prepared by each district as required by NRS
13 387.303, and report the findings of the review to the State Board and
14 the Legislative Committee on Education, with any recommendations
15 for legislation, revisions to regulations or training needed by school
16 district employees. The report by the Department must identify



1 school districts which failed to comply with any statutes or
2 administrative regulations of this State or which had any:

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

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

6 (c) Deficit cash balances in any fund;

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

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

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

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

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

21 388.700 1. Except as otherwise provided in subsections 2, 3
22 and 6, after the last day of the first month of the school year, the
23 ratio in each school district of pupils ~~{per class in kindergarten and~~
24 ~~grades 1, 2 and 3}~~ per licensed teacher designated to teach ~~{those~~
25 ~~classes full-time must not exceed 15 to 1}~~, *on a full-time basis*, in
26 classes where core curriculum is taught ~~{}~~:

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

29 *(b) If a plan is approved pursuant to subsection 3 of NRS*
30 *388.720, must not exceed the ratio set forth in that plan for the*
31 *grade levels specified in the plan.*

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

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

43 3. The State Board may grant to a school district a variance
44 from the limitation on the number of pupils per class set forth in
45 subsection 1 for good cause, including the lack of available financial



1 support specifically set aside for the reduction of pupil-teacher
2 ratios.

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

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

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

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

18 (a) The number of teachers employed;

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

21 (c) The number of pupils enrolled; and

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

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

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

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

34 388.710 1. The State Board, in consultation with the trustees
35 of the school districts and the recognized associations representing
36 licensed educational personnel, after receiving comments from the
37 general public, shall determine the data that must be monitored by
38 each school district and used to measure the effectiveness of the
39 implementation of ~~{the}~~ *a* plan developed by each school district to
40 reduce the pupil-teacher ratio ~~{per class in kindergarten and grades~~
41 ~~1, 2 and 3.}~~ *pursuant to NRS 388.720.*

42 2. Each school district shall report the data to the State Board
43 as required by the State Board.
44



1 **Sec. 4.** NRS 388.720 is hereby amended to read as follows:
2 388.720 ~~{Each}~~

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

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

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

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

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

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

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

28 **Sec. 5.** Notwithstanding the provisions of NRS 388.700,
29 388.710 and 388.720 to the contrary, the board of trustees of a
30 school district that is located in a county whose population is
31 100,000 or more may submit a plan to the Superintendent of Public
32 Instruction to carry out a program in which alternative pupil-teacher
33 ratios are carried out in grades 1 through 5 or grades 1 through 6, as
34 applicable, during the 2005-2007 biennium. The Superintendent of
35 Public Instruction shall not approve a plan submitted pursuant to
36 this section unless the plan is being requested to eliminate or reduce
37 the need for team teaching or because the school district lacks
38 sufficient physical facilities to comply with subsection 1 of NRS
39 388.700. Alternative ratios for grade 6 may only be approved if the
40 school district includes grade 6 in elementary school. The
41 alternative pupil-teacher ratios must not:

42 1. Exceed 22 to 1 in grades 1, 2 and 3; and

43 2. Exceed 25 to 1 in grades 4 and 5 or grades 4, 5 and 6, as
44 applicable.



1 **Sec. 6.** 1. If a school district receives approval to carry out
2 alternative pupil-teacher ratios pursuant to NRS 388.720, as
3 amended by this act, or section 5 of this act, the school district shall
4 evaluate the effectiveness of the alternative program. The evaluation
5 must include, without limitation, the effect of the alternative
6 program on:

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

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

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

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

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

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

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



