

ASSEMBLY BILL NO. 590—COMMITTEE ON EDUCATION
(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

MARCH 26, 2007

Referred to Committee on Ways and Means

SUMMARY—Revises provisions governing educational personnel.
(BDR 34-434)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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; authorizing the boards of trustees of schools districts to provide an alternative financial incentive to certain eligible employees; revising the requirements for eligibility for such a financial incentive; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the boards of trustees of school districts to purchase one-fifth of a year of retirement service credit for each year that the following employees meet certain criteria: teachers employed in schools designated as demonstrating need for improvement and in at-risk schools, teachers who hold certain endorsements and licensed school psychologists. (NRS 391.165) Under existing law, with certain exceptions, 5 years is the maximum number of years of such service credit that may be purchased. (NRS 286.300, 391.165)

This bill authorizes the boards of trustees to make a cash payment of \$4,000 each contract year to eligible employees in lieu of paying the cost for employees to purchase retirement service credit. The board of trustees is given the discretion to determine which of these methods of payment to provide to all eligible employees and may change the method of payment chosen in future school years. This bill also expands the eligibility for the financial incentive to all employees of a school district who work in at-risk schools. This bill further revises the criteria for eligibility for the financial incentive, including eliminating employment at a school designated as demonstrating need for improvement that is not also an at-risk school as a criteria.



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

Section 1. NRS 391.165 is hereby amended to read as follows:
391.165 1. Except as otherwise provided in subsection ~~{3}~~ **4**
and except as otherwise required as a result of NRS 286.537, the
board of trustees of a school district shall ~~{pay}~~ :

(a) ~~Pay~~ the cost for ~~{a licensed teacher or licensed school psychologist}~~ **all eligible employees** to purchase one-fifth of a year
of service pursuant to subsection 2 of NRS 286.300 ; **or**

(b) **Pay \$4,000 to each eligible employee.**

**↪ The board of trustees has the sole discretion to determine
whether the method of payment for all eligible employees will be
pursuant to paragraph (a) or (b).**

**2. An employee is eligible for a payment pursuant to
subsection 1 if:**

(a) The ~~{teacher or school psychologist}~~ **employee** is a member
of the Public Employees' Retirement System and has at least 5 years
of service;

(b) The ~~{teacher or school psychologist has been employed as a
licensed teacher or licensed school psychologist in this State for at
least 5 consecutive school years, regardless of whether the
employment was with one or more school districts in this State;~~

~~—(c) Each~~ **most recent** evaluation of the ~~{teacher or school
psychologist conducted pursuant to NRS 391.3125}~~ **employee** is at
least satisfactory ~~{for the years of employment required by
paragraph (b); and~~

~~—(d) In addition to the years of employment required by
paragraph (b);~~

~~—(1) The teacher has} ; and~~

(c) The employee:

(1) Has been employed ~~{as a licensed teacher for 2 school
years}~~ **for the full contract year** at a school within the school district
~~{during his employment at the school;~~

~~—(1) Which carried the designation of demonstrating need
for improvement; or~~

~~—(II) At} at~~ which at least 65 percent of the pupils who are
enrolled in the school are children who are at risk;

(2) ~~{The}~~ **Is a licensed** teacher **who** holds an endorsement in
the field of mathematics, science, special education or English as a
second language and has been employed for ~~{at least 1 school}~~ **the
full contract** year to teach in the subject area for which he holds an
endorsement; or

(3) ~~{The}~~ **Is a** school psychologist **who** has been employed as
a licensed school psychologist for ~~{at least 1 school year.~~



~~↪ The provisions of this paragraph do not require consecutive years of employment or employment at the same school within the school district.~~

~~—2.] the full contract year.~~

3. Except as otherwise provided in subsection ~~[3.]~~ 4, the board of trustees of a school district shall pay the cost for ~~[a licensed teacher or school psychologist]~~ *an eligible employee* to purchase one-fifth of a year of service *or provide to the eligible employee the cash payment pursuant to subsection 1, as determined by the board of trustees*, for each *contract* year that ~~[a teacher or school psychologist]~~ *the employee* satisfies the requirements of subsection ~~[1.]~~ 2. If, in ~~[1 school year, a teacher satisfies]~~ *a contract year, an employee satisfies more than one of* the criteria set forth in ~~[both subparagraphs (1) and (2) of paragraph (d)]~~ *paragraph (c)* of subsection ~~[1.]~~ 2, the school district ~~[in which the teacher is employed]~~ is not required to pay for *that employee* more than *the cost to purchase* one-fifth of a year of service pursuant to subsection 2 of NRS 286.300 *or more than one cash payment, as applicable*, for that ~~[school year]~~.

~~—3.] contract year.~~

4. In no event may the years of service purchased by ~~[a licensed teacher or school psychologist]~~ *an eligible employee pursuant to this section* and as a result of ~~[subsection]~~ *subsections 2 and 4* of NRS 286.300 exceed 5 years.

~~[4.]~~ 5. *The board of trustees of a school district may change from one method of payment for all eligible employees set forth in subsection 1 to the other method set forth in that subsection. If the board of trustees wishes to make such a change, the board of trustees shall, on or before March 1 of the school year immediately preceding the school year in which the change will become effective:*

(a) Make a determination to change its method of payment; and

(b) Provide written notice of the change to:

- (1) All eligible employees of the school district; and*
- (2) The Public Employees' Retirement System.*

↪ A change of the method of payment pursuant to this subsection must not become effective until the commencement of a school year.

6. The board of trustees of a school district shall not:

(a) Assign or reassign ~~[a licensed teacher or school psychologist]~~ *an employee* to circumvent the requirements of this section.

(b) Include as part of ~~[a teacher's or school psychologist's]~~ *an employee's* salary the costs of paying *for* the ~~[teacher or school~~



- 1 ~~psychologist to~~ purchase *of* service *or the cash payment* pursuant
2 to this section.
- 3 ~~15.1~~ 7. As used in this section:
- 4 (a) A child is “at risk” if he is eligible for free or reduced-price
5 lunches pursuant to 42 U.S.C. §§ 1751 et seq.
- 6 (b) “Service” has the meaning ascribed to it in NRS 286.078.
- 7 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
8 additional expenses of a local government that are related to the
9 provisions of this act.
- 10 **Sec. 3.** This act becomes effective on July 1, 2007.

