

SENATE BILL NO. 166—SENATOR MATHEWS

FEBRUARY 28, 2007

Referred to Committee on Finance

SUMMARY—Requires payment of increased salaries to certain school employees holding national certification. (BDR 34-1149)

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

CONTAINS UNFUNDED MANDATE (§§ 2, 4)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to schools; requiring school districts to pay increased salaries to certain employees who hold national certification recognized by the Commission on Professional Standards in Education; requiring related information to be included in the annual budget report of each school district; requiring the Commission to adopt certain regulations; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Under existing law, a school district is required to pay increased salaries to
- 2 those teachers and speech pathologists it employs who satisfy certain requirements,
- 3 including the holding of certain national certification. (NRS 391.160) This bill
- 4 provides for the payment of similar increased salaries for other employees of a
- 5 school district, including school nurses, school psychologists, school counselors,
- 6 school social workers and audiologists who satisfy certain similar requirements,
- 7 including the holding of certain national certification.



\* S B 1 6 6 \*

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

**Section 1.** NRS 387.303 is hereby amended to read as follows:

387.303 1. Not later than November 10 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction and the Department of Taxation a report which includes the following information:

(a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the school district in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the school district's final budget, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.

(b) The count of pupils computed pursuant to paragraph (a) of subsection 1 of NRS 387.1233.

(c) The school district's actual expenditures in the fiscal year immediately preceding the report.

(d) The school district's proposed expenditures for the current fiscal year.

(e) The schedule of salaries for licensed employees in the current school year and a statement of whether the negotiations regarding salaries for the current school year have been completed. If the negotiations have not been completed at the time the schedule of salaries is submitted, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations or the determination of an arbitrator concerning the negotiations that includes the schedule of salaries agreed to or required by the arbitrator.

(f) The number of ~~teachers~~ *employees* who received an increase in salary pursuant to subsection 2, 3 or 4 of NRS 391.160 for the current and preceding fiscal years. If the board of trustees is required to pay an increase in salary retroactively pursuant to subsection 2 of NRS 391.160, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction not later than February 15 of the year in which the retroactive payment was made that includes the number of teachers to whom an increase in salary was paid retroactively.

(g) The number of employees eligible for health insurance within the school district for the current and preceding fiscal years



\* S B 1 6 6 \*

1 and the amount paid for health insurance for each such employee  
2 during those years.

3 (h) The rates for fringe benefits, excluding health insurance,  
4 paid by the school district for its licensed employees in the  
5 preceding and current fiscal years.

6 (i) The amount paid for extra duties, supervision of  
7 extracurricular activities and supplemental pay and the number of  
8 employees receiving that pay in the preceding and current fiscal  
9 years.

10 (j) The expenditures from the account created pursuant to  
11 subsection 3 of NRS 179.1187. The report must indicate the total  
12 amount received by the district in the preceding fiscal year, and the  
13 specific amount spent on books and computer hardware and  
14 software for each grade level in the district.

15 2. On or before November 25 of each year, the Superintendent  
16 of Public Instruction shall submit to the Department of  
17 Administration and the Fiscal Analysis Division of the Legislative  
18 Counsel Bureau, in a format approved by the Director of the  
19 Department of Administration, a compilation of the reports made by  
20 each school district pursuant to subsection 1.

21 3. The Superintendent of Public Instruction shall, in the  
22 compilation required by subsection 2, reconcile the revenues and  
23 expenditures of the school districts with the apportionment received  
24 by those districts from the State Distributive School Account for the  
25 preceding year.

26 **Sec. 2.** NRS 391.160 is hereby amended to read as follows:

27 391.160 1. The salaries of teachers and other employees must  
28 be determined by the character of the service required. A school  
29 district shall not discriminate between male and female employees  
30 in the matter of salary.

31 2. Each year when determining the salary of a teacher who  
32 holds certification issued by the National Board for Professional  
33 Teaching Standards, a school district shall add 5 percent to the  
34 salary that the teacher would otherwise receive in 1 year for his  
35 classification on the schedule of salaries for the school district if:

36 (a) On or before January 31 of the school year, the teacher has  
37 submitted evidence satisfactory to the school district of his current  
38 certification; and

39 (b) The teacher is assigned by the school district to provide  
40 classroom instruction during that school year.

41 ➡ No increase in salary may be given pursuant to this subsection  
42 during a particular school year to a teacher who submits evidence of  
43 certification after January 31 of that school year. For the first school  
44 year that a teacher submits evidence of his current certification, the  
45 board of trustees of the school district to whom the evidence was



submitted shall pay the increase in salary required by this subsection retroactively to the beginning of that school year. Once a teacher has submitted evidence of such certification to the school district, the school district shall retain the evidence in its records, as applicable, for future school years. An increase in salary given in accordance with this subsection is in addition to any other increase to which the teacher may otherwise be entitled.

3. Each year when determining the salary of a person who is employed by a school district as a speech pathologist, the school district shall add 5 percent to the salary that the employee would otherwise receive in 1 year for his classification on the schedule of salaries for the school district if:

(a) On or before September 15 of the school year, the employee has submitted evidence satisfactory to the school district of his:

(1) Licensure as a speech pathologist by the Board of Examiners for Audiology and Speech Pathology; and

(2) Certification as being clinically competent in speech-language pathology by:

(I) The American Speech-Language-Hearing Association; or

(II) A successor organization to the American Speech-Language-Hearing Association that is recognized and determined to be acceptable by the Board of Examiners for Audiology and Speech Pathology; and

(b) The employee is assigned by the school district to serve as a speech pathologist during the school year.

➔ No increase in salary may be given pursuant to this subsection during a particular school year to an employee who submits evidence of licensure and certification after September 15 of that school year. Once an employee has submitted evidence of such licensure and certification to the school district, the school district shall retain the evidence in its records, as applicable, for future school years. An increase in salary given in accordance with this subsection is in addition to any other increase to which the employee may otherwise be entitled.

4. *Each year when determining the salary of a person who is employed by a school district as a school nurse, school psychologist, school counselor, school social worker or audiologist and who holds the required national certification specified for his profession in the regulations of the Commission adopted pursuant to subsection 7, the school district shall add 5 percent to the salary that the employee would otherwise receive in 1 year for his classification on the schedule of salaries of the school district if:*



1     (a) *On or before September 15 of the school year, the employee*  
2 *has submitted evidence satisfactory to the school district of his*  
3 *current certification; and*

4     (b) *The employee is assigned by the school district to provide*  
5 *service in the profession for which he holds the certification*  
6 *during that school year.*

7     ↪ *No increase in salary may be given pursuant to this subsection*  
8 *during a particular school year to an employee who submits*  
9 *evidence of certification after September 15 of that school year.*  
10 *Once an employee has submitted evidence of such certification to*  
11 *the school district, the school district shall retain the evidence in*  
12 *its records, as applicable, for future school years. An increase in*  
13 *salary given in accordance with this subsection is in addition to*  
14 *any other increase to which the employee may otherwise be*  
15 *entitled.*

16     5. In determining the salary of a licensed teacher who is  
17 employed by a school district after the teacher has been employed  
18 by another school district in this State, the present employer shall,  
19 except as otherwise provided in subsection ~~7-1~~ 9:

20     (a) Give the teacher the same credit for previous teaching  
21 service as he was receiving from his former employer at the end of  
22 his former employment;

23     (b) Give the teacher credit for his final year of service with his  
24 former employer, if credit for that service is not included in credit  
25 given pursuant to paragraph (a); and

26     (c) Place the teacher on the schedule of salaries of the school  
27 district in a classification that is commensurate with the level of  
28 education acquired by the teacher, as set forth in the applicable  
29 negotiated agreement with the present employer.

30     ~~5-1~~ 6. A school district may give the credit required by  
31 subsection ~~4~~ 5 for previous teaching service earned in another state  
32 if the Commission has approved the standards for licensing teachers  
33 of that state. The Commission shall adopt regulations that establish  
34 the criteria by which the Commission will consider the standards for  
35 licensing teachers of other states for the purposes of this subsection.  
36 The criteria may include, without limitation, whether the  
37 Commission has authorized reciprocal licensure of educational  
38 personnel from the state under consideration.

39     ~~6-1~~ 7. *Except as otherwise provided in this subsection, the*  
40 *Commission shall adopt regulations specifying the required*  
41 *national certification for each profession listed in subsection 4 to*  
42 *qualify an employee to receive an increase in salary pursuant to*  
43 *that subsection. In adopting the regulations, the Commission shall*  
44 *consider whether the requirements for national certification for*  
45 *each such profession are at least as stringent as the requirements*



*for the certification of a teacher by the National Board for Professional Teaching Standards. If, for any such profession, the Commission determines that this requirement is not met by any existing national certification, the Commission shall adopt a regulation stating that the Commission has not specified any required national certification for that profession.*

8. In determining the salary of a licensed administrator, other than the superintendent of schools, who is employed by a school district after the administrator has been employed by another school district in this State, the present employer shall, except as otherwise provided in subsection ~~7~~ 9:

(a) Give the administrator the same credit for previous administrative service as he was receiving from his former employer, at the end of his former employment;

(b) Give the administrator credit for his final year of service with his former employer, if credit for that service is not otherwise included in the credit given pursuant to paragraph (a); and

(c) Place the administrator on the schedule of salaries of the school district in a classification that is comparable to the classification the administrator had attained on the schedule of salaries of his former employer.

~~7~~ 9. This section does not:

(a) Require a school district to allow a teacher or administrator more credit for previous teaching or administrative service than the maximum credit for teaching or administrative experience provided for in the schedule of salaries established by it for its licensed personnel.

(b) Permit a school district to deny a teacher or administrator credit for his previous teaching or administrative service on the ground that the service differs in kind from the teaching or administrative experience for which credit is otherwise given by the school district.

~~8~~ 10. *A school district shall pay the increases in salary required by subsections 2, 3 and 4 regardless of the amount of any legislative appropriation made for the increases.*

11. As used in this section:

(a) "Previous administrative service" means the total of:

(1) Any period of administrative service for which an administrator received credit from his former employer at the beginning of his former employment; and

(2) His period of administrative service in his former employment.

(b) "Previous teaching service" means the total of:



1 (1) Any period of teaching service for which a teacher  
2 received credit from his former employer at the beginning of his  
3 former employment; and

4 (2) His period of teaching service in his former employment.

5 **Sec. 3.** On or before October 1, 2007, the Commission on  
6 Professional Standards in Education shall adopt regulations in  
7 accordance with subsection 7 of NRS 391.160, as amended by  
8 section 2 of this act.

9 **Sec. 4.** Notwithstanding the provisions of NRS 391.160, as  
10 amended by section 2 of this act, an employee who wishes to  
11 receive an increase in salary for the 2007-2008 school year pursuant  
12 to subsection 4 of NRS 391.160, as amended by section 2 of this act,  
13 must submit evidence of his certification not later than November 1,  
14 2007. If an employee submits such evidence on or before that date,  
15 the school district by which he is employed shall pay the required  
16 increase in salary retroactively to the beginning of the 2007-2008  
17 school year.

18 **Sec. 5.** The provisions of NRS 354.599 do not apply to any  
19 additional expenses of a local government that are related to the  
20 provisions of this act.

21 **Sec. 6.** This act becomes effective on July 1, 2007.

