

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)

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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 schools; requiring school districts to pay increased salaries to certain professional school library media specialists who hold certain national certification; requiring related information to be included in the annual budget report of each school district; making an appropriation; 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 professional school
5 library media specialists who satisfy certain similar requirements, including the
6 holding of certain national certification.

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

- 1 **Section 1.** NRS 387.303 is hereby amended to read as follows:
2 387.303 1. Not later than November 10 of each year, the
3 board of trustees of each school district shall submit to the



1 Superintendent of Public Instruction and the Department of
2 Taxation a report which includes the following information:

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

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

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

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

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

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

38 (g) The number of employees eligible for health insurance
39 within the school district for the current and preceding fiscal years
40 and the amount paid for health insurance for each such employee
41 during those years.

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



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

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

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

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

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

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

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

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

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

➤ No increase in salary may be given pursuant to this subsection during a particular school year to a teacher who submits evidence of certification after January 31 of that school year. For the first school year that a teacher submits evidence of his current certification, the 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



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1 with this subsection is in addition to any other increase to which the
2 teacher may otherwise be entitled.

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

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

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

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

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

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

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

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

31 4. *Each year when determining the salary of a person who is*
32 *employed by a school district as a professional school library*
33 *media specialist, the school district shall add 5 percent to the*
34 *salary that the employee would otherwise receive in 1 year for his*
35 *classification on the schedule of salaries of the school district if:*

36 (a) *On or before September 15 of the school year, the employee*
37 *has submitted evidence satisfactory to the school district of his*
38 *current certification as a professional school library media*
39 *specialist issued by the National Board for Professional Teaching*
40 *Standards; and*

41 (b) *The employee is assigned by the school district to serve as a*
42 *professional school library media specialist during that school*
43 *year.*

44 ➔ *No increase in salary may be given pursuant to this subsection*
45 *during a particular school year to an employee who submits*



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evidence of certification after September 15 of that school year. Once an employee 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 employee may otherwise be entitled.

5. In determining the salary of a licensed teacher who is employed by a school district after the teacher has been employed by another school district in this State, the present employer shall, except as otherwise provided in subsection ~~[7:]~~ 8:

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

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

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

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

~~[6:]~~ 7. 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:]~~ 8:

(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-]~~ 8. 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-]~~ 9. 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) Any period of teaching service for which a teacher received credit from his former employer at the beginning of his former employment; and

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

Sec. 3. (Deleted by amendment.)

Sec. 3.5. 1. There is hereby appropriated from the State General Fund to the State Distributive School Account the following sums to pay the increase of salaries of professional school library media specialists required by NRS 391.160, as amended by section 2 of this act:

For the Fiscal Year 2007-2008.....\$18,078

For the Fiscal Year 2008-2009.....\$18,798

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2008, and September 18, 2009, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2008, and September 18, 2009, respectively.

Sec. 4. Notwithstanding the provisions of NRS 391.160, as amended by section 2 of this act, an employee who wishes to



1 receive an increase in salary for the 2007-2008 school year pursuant
2 to subsection 4 of NRS 391.160, as amended by section 2 of this act,
3 must submit evidence of his certification not later than November 1,
4 2007. If an employee submits such evidence on or before that date,
5 the school district by which he is employed shall pay the required
6 increase in salary retroactively to the beginning of the 2007-2008
7 school year.

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

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

