

SENATE BILL NO. 97—SENATORS BEERS, CEGAVSKE, AMODEI,  
HARDY, HECK, MCGINNESS, NOLAN, RHOADS, TOWNSEND  
AND WASHINGTON

FEBRUARY 15, 2007

JOINT SPONSORS: ASSEMBLYMEN BEERS,  
GOEDHART AND SETTELMAYER

Referred to Committee on Human Resources and Education

SUMMARY—Limits salaries of certain school district  
administrators to one and one-half times the salary of  
the highest paid principal in the district.  
(BDR 34-16)

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

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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 educational personnel; prohibiting a board of  
trustees of a school district from entering into contracts  
with certain administrators for the payment of salaries that  
are more than one and one-half times the salary paid to  
the principal who receives the highest salary in the school  
district; and providing other matters properly relating  
thereto.

**Legislative Counsel's Digest:**

1     **Section 1** of this bill provides that a school district shall not enter into a  
2 contract or agreement with an administrator if that contract or agreement provides a  
3 salary or other compensation for the administrator in an amount that is more than  
4 one and one-half times the salary or compensation paid to the highest paid principal  
5 in the school district. This restriction applies to administrators who are employed to  
6 provide services at the district or regional level rather than the school level. This  
7 restriction applies only to contracts and agreements that are executed or renewed on  
8 or after July 1, 2007. **Sections 2-5** of this bill amend provisions that authorize



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9 school districts to employ personnel to include the restriction on the payment of  
10 salaries to certain administrators.

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

1     **Section 1.** Chapter 391 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     ***1. The board of trustees of a school district shall not enter***  
4 ***into a contract or other agreement with an administrator if that***  
5 ***contract or agreement provides a salary or other compensation for***  
6 ***the administrator in an amount that is more than one and one-***  
7 ***half times the salary or compensation paid to the principal***  
8 ***employed by the school district who receives the highest salary or***  
9 ***compensation.***

10    ***2. As used in this section, "administrator" means each person***  
11 ***who is employed by a school district to provide administrative***  
12 ***service at the district or regional level. The term includes, without***  
13 ***limitation, the superintendent of schools of a school district. The***  
14 ***term does not include:***

15     ***(a) An administrator who is employed to provide***  
16 ***administrative service at the school level, including, without***  
17 ***limitation, a principal or vice principal; or***

18     ***(b) A teacher whose working time is primarily spent providing***  
19 ***instruction in a classroom.***

20    **Sec. 2.** NRS 391.100 is hereby amended to read as follows:

21    391.100 1. ~~[The]~~ ***Except as otherwise provided in section 1***  
22 ***of this act, the*** board of trustees of a school district may employ a  
23 superintendent of schools, teachers and all other necessary  
24 employees.

25    2. A person who is initially hired by the board of trustees of a  
26 school district on or after January 8, 2002, to teach in a program  
27 supported with money from Title I must possess the qualifications  
28 required by 20 U.S.C. § 6319(a). For the purposes of this  
29 subsection, a person is not "initially hired" if he has been employed  
30 as a teacher by another school district or charter school in this State  
31 without an interruption in employment before the date of hire by his  
32 current employer.

33    3. A person who is employed as a teacher, regardless of the  
34 date of hire, must possess, on or before July 1, 2006, the  
35 qualifications required by 20 U.S.C. § 6319(a) if he teaches:

36     (a) English, reading or language arts;

37     (b) Mathematics;

38     (c) Science;

39     (d) Foreign language;



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- (e) Civics or government;
- (f) Economics;
- (g) Geography;
- (h) History; or
- (i) The arts.

4. The board of trustees of a school district:

(a) May employ teacher aides and other auxiliary, nonprofessional personnel to assist licensed personnel in the instruction or supervision of children, either in the classroom or at any other place in the school or on the grounds thereof. A person who is initially hired as a paraprofessional by a school district on or after January 8, 2002, to work in a program supported with Title I money must possess the qualifications required by 20 U.S.C. § 6319(c). A person who is employed as a paraprofessional by a school district, regardless of the date of hire, to work in a program supported with Title I money must possess, on or before January 8, 2006, the qualifications required by 20 U.S.C. § 6319(c). For the purposes of this paragraph, a person is not "initially hired" if he has been employed as a paraprofessional by another school district or charter school in this State without an interruption in employment before the date of hire by his current employer.

(b) Shall establish policies governing the duties and performance of teacher aides.

5. Each applicant for employment pursuant to this section, except a teacher or other person licensed by the Superintendent of Public Instruction, must, as a condition to employment, submit to the school district a full set of his fingerprints and written permission authorizing the school district to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant.

6. Except as otherwise provided in subsection 7, the board of trustees of a school district shall not require a licensed teacher or other person licensed by the Superintendent of Public Instruction pursuant to NRS 391.033 who has taken a leave of absence from employment authorized by the school district, including, without limitation:

- (a) Sick leave;
- (b) Sabbatical leave;
- (c) Personal leave;
- (d) Leave for attendance at a regular or special session of the Legislature of this State if the employee is a member thereof;
- (e) Maternity leave; and



(f) Leave permitted by the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.,

→ to submit a set of his fingerprints as a condition of return to or continued employment with the school district if the employee is in good standing when the employee began the leave.

7. ~~[A]~~ **The** board of trustees of a school district may ask the Superintendent of Public Instruction to require a person licensed by the Superintendent of Public Instruction pursuant to NRS 391.033 who has taken a leave of absence from employment authorized by the school district to submit a set of his fingerprints as a condition of return to or continued employment with the school district if the board of trustees has probable cause to believe that the person has committed a felony or an offense involving moral turpitude during the period of his leave of absence.

8. The board of trustees of a school district may employ or appoint persons to serve as school police officers. If the board of trustees of a school district employs or appoints persons to serve as school police officers, the board of trustees shall employ a law enforcement officer to serve as the chief of school police who is supervised by the superintendent of schools of the school district. The chief of school police shall supervise each person appointed or employed by the board of trustees as a school police officer. In addition, persons who provide police services pursuant to subsection 9 or 10 shall be deemed school police officers.

9. The board of trustees of a school district in a county that has a metropolitan police department created pursuant to chapter 280 of NRS may contract with the metropolitan police department for the provision and supervision of police services in the public schools within the jurisdiction of the metropolitan police department and on property therein that is owned by the school district. If a contract is entered into pursuant to this subsection, the contract must make provision for the transfer of each school police officer employed by the board of trustees to the metropolitan police department. If the board of trustees of a school district contracts with a metropolitan police department pursuant to this subsection, the board of trustees shall, if applicable, cooperate with appropriate local law enforcement agencies within the school district for the provision and supervision of police services in the public schools within the school district and on property owned by the school district, but outside the jurisdiction of the metropolitan police department.

10. The board of trustees of a school district in a county that does not have a metropolitan police department created pursuant to chapter 280 of NRS may contract with the sheriff of that county for the provision of police services in the public schools within the



1 school district and on property therein that is owned by the school  
2 district.

3 **Sec. 3.** NRS 391.110 is hereby amended to read as follows:

4 391.110 1. ~~[The]~~ *Except as otherwise provided in section 1*  
5 *of this act, the* board of trustees of a school district may:

6 (a) Employ any person whom the board of trustees determines is  
7 qualified to serve as the superintendent of schools of the school  
8 district. The Commission may require the superintendent of any  
9 school district to hold a master's degree.

10 (b) Define his powers and fix his duties.

11 (c) Fix his salary.

12 2. If the board of trustees of a school district employs a person  
13 who is not licensed as an administrator to serve as the  
14 superintendent of schools, the board of trustees shall employ a  
15 person who is licensed as an administrator to oversee the academic  
16 programs of the public schools within the school district.

17 3. A superintendent of schools may be employed for an initial  
18 term not to exceed 4 years. The term of any subsequent employment  
19 may be of any duration.

20 4. A superintendent of schools may be dismissed at any time  
21 for cause.

22 5. A superintendent of schools may administer oaths or  
23 affirmations relating to public schools.

24 **Sec. 4.** NRS 391.120 is hereby amended to read as follows:

25 391.120 1. ~~[Boards]~~ *Except as otherwise provided in section*  
26 *1 of this act, the boards* of trustees of the school districts in this  
27 State may employ legally qualified teachers and other licensed  
28 personnel and may determine their salaries and the length of the  
29 term of school for which they are employed. These conditions and  
30 any other conditions agreed upon by the parties must be embodied  
31 in a written contract, or notice of reemployment, to be approved by  
32 the board of trustees and accepted and signed by the employee. A  
33 copy of the contract or notice of reemployment, properly written,  
34 must be delivered to each teacher or other licensed employee not  
35 later than the opening of the term of school.

36 2. A board of trustees may not employ teachers or other  
37 licensed personnel for any school year commencing after the  
38 expiration of the time for which any member of the board of trustees  
39 was elected or appointed.

40 3. It is unlawful for the board of trustees of any school district  
41 to employ any teacher who is not legally qualified to teach all the  
42 grades which the teacher is engaged to teach. The board of trustees  
43 shall suspend or terminate, as applicable, the employment of any  
44 teacher who fails to maintain a license issued pursuant to this  
45 chapter in force, if such a license is required for employment. Any



1 such suspension or termination must comply with the requirements  
2 of NRS 391.301 to 391.309, inclusive.

3 4. On or before November 15 of each year, the school district  
4 shall submit to the Department, in a form prescribed by the  
5 Superintendent of Public Instruction, the following information  
6 for each licensed employee employed by the school district on  
7 October 1 of that year:

8 (a) The amount of salary of the employee; and

9 (b) The designated assignment, as that term is defined by the  
10 Department of Education, of the employee.

11 **Sec. 5.** NRS 391.160 is hereby amended to read as follows:

12 391.160 1. ~~[The]~~ *Except as otherwise provided by section 1*  
13 *of this act, the* salaries of teachers and other employees must be  
14 determined by the character of the service required. A school district  
15 shall not discriminate between male and female employees in the  
16 matter of salary.

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

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

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

27 ➡ No increase in salary may be given pursuant to this subsection  
28 during a particular school year to a teacher who submits evidence of  
29 certification after January 31 of that school year. For the first school  
30 year that a teacher submits evidence of his current certification, the  
31 board of trustees of the school district to whom the evidence was  
32 submitted shall pay the increase in salary required by this subsection  
33 retroactively to the beginning of that school year. Once a teacher has  
34 submitted evidence of such certification to the school district, the  
35 school district shall retain the evidence in its records, as applicable,  
36 for future school years. An increase in salary given in accordance  
37 with this subsection is in addition to any other increase to which the  
38 teacher may otherwise be entitled.

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

44 (a) On or before September 15 of the school year, the employee  
45 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. 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:

(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. A school district may give the credit required by subsection 4 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. 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:

(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~~ *Except as otherwise provided by section 1 of this act, 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. 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. 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. 6.** Section 1 of this act applies only to contracts and agreements that are executed or renewed on or after July 1, 2007.

**Sec. 7.** This act becomes effective on July 1, 2007.

