

Amendment No. 1060

Senate Amendment to Senate Bill No. 166

(BDR 34-1149)

Proposed by: Senate Committee on Finance**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will:

- (1) MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 166 (§§ 2, 4).
 (2) ADD an appropriation where one does not currently exist in S.B. 166.

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

KCR/BJE



Date: 6/2/2007

S.B. No. 166—Requires payment of increased salaries to certain school employees holding national certification. (BDR 34-1149)



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 ~~employees~~ **professional school library media specialists** who hold **certain** 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;~~ **making an appropriation;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a school district is required to pay increased salaries to those teachers and speech pathologists it employs who satisfy certain requirements, including the holding of certain national certification. (NRS 391.160) This bill provides for the payment of similar increased salaries for ~~other employees of a school district, including school nurses, school psychologists, school counselors, school social workers and audiologists~~ **professional school library media specialists** who satisfy certain similar requirements, including the holding of certain national certification.

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

1 salaries are paid from the fund and who are employed by the school district in full-
2 time positions or in part-time positions added together to represent full-time
3 positions. Information must be provided for the current school year based upon the
4 school district's final budget, including any amendments and augmentations
5 thereto, and for the preceding school year. An employee must be categorized as
6 filling an instructional, administrative, instructional support or other position.

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

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

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

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

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

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

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

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

35 (j) The expenditures from the account created pursuant to subsection 3 of NRS
36 179.1187. The report must indicate the total amount received by the district in the
37 preceding fiscal year, and the specific amount spent on books and computer
38 hardware and software for each grade level in the district.

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

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

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

49 391.160 1. The salaries of teachers and other employees must be determined
50 by the character of the service required. A school district shall not discriminate
51 between male and female employees in the matter of salary.

52 2. Each year when determining the salary of a teacher who holds certification
53 issued by the National Board for Professional Teaching Standards, a school district

1 shall add 5 percent to the salary that the teacher would otherwise receive in 1 year
2 for his classification on the schedule of salaries for the school district if:

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

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

7 No increase in salary may be given pursuant to this subsection during a
8 particular school year to a teacher who submits evidence of certification after
9 January 31 of that school year. For the first school year that a teacher submits
10 evidence of his current certification, the board of trustees of the school district to
11 whom the evidence was submitted shall pay the increase in salary required by this
12 subsection retroactively to the beginning of that school year. Once a teacher has
13 submitted evidence of such certification to the school district, the school district
14 shall retain the evidence in its records, as applicable, for future school years. An
15 increase in salary given in accordance with this subsection is in addition to any
16 other increase to which the teacher may otherwise be entitled.

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

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

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

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

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

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

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

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

40 4. *Each year when determining the salary of a person who is employed by a*
41 *school district as a ~~school nurse, school psychologist, school counselor, school~~*
42 *~~social worker or audiologist and who holds the required national certification~~*
43 *~~specified for his profession in the regulations of the Commission adopted~~*
44 *~~pursuant to subsection 7.1~~ professional school library media specialist, the school*
45 *district shall add 5 percent to the salary that the employee would otherwise*
46 *receive in 1 year for his classification on the schedule of salaries of the school*
47 *district if:*

48 (a) *On or before September 15 of the school year, the employee has*
49 *submitted evidence satisfactory to the school district of his current certification*
50 *~~as a professional school library media specialist issued by the National Board~~*
51 *~~for Professional Teaching Standards; and~~*

(b) ~~The employee is assigned by the school district to provide service in the profession for which he holds the certification.~~ serve as a professional school library media specialist during that 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 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 ~~7.7~~ 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.

~~5.7~~ 6. A school district may give the credit required by subsection ~~4.4~~ 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~~ 7. ~~Except as otherwise provided in this subsection, the Commission shall adopt regulations specifying the required national certification for each profession listed in subsection 4 to qualify an employee to receive an increase in salary pursuant to that subsection. In adopting the regulations, the Commission shall consider whether the requirements for national certification for 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.~~

~~8.7~~ 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 ~~7.7~~ ~~9.4~~ 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.] [9.]~~ 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.] [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.]~~ 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. ~~[On or before October 1, 2007, the Commission on Professional Standards in Education shall adopt regulations in accordance with subsection 7 of NRS 391.160, as amended by section 2 of this act.] (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 receive an increase in salary for the 2007-2008 school year pursuant to subsection 4 of NRS 391.160, as amended by section 2 of this act, must submit evidence of his certification not later than November 1, 2007. If an employee submits such evidence on or before that date, the school district by which he is employed shall pay the required increase in salary retroactively to the beginning of the 2007-2008 school year.

- 1 **Sec. 5.** The provisions of NRS 354.599 do not apply to any additional
2 expenses of a local government that are related to the provisions of this act.
3 **Sec. 6.** This act becomes effective on July 1, 2007.