

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
February 5, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:30 p.m. on Thursday, February 5, 2015, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Becky Harris, Chair
Senator Scott Hammond, Vice Chair
Senator Don Gustavson
Senator Mark Lipparelli
Senator Joyce Woodhouse
Senator Moises (Mo) Denis

COMMITTEE MEMBERS ABSENT:

Senator Tick Segerblom (Excused)

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Beth Ann Reykers, Committee Secretary

OTHERS PRESENT:

Jessica Ferrato, Nevada Association of School Boards
Stephen Augspurger, Executive Director, Clark County Association of School
Administrators and Professional-Technical Employees
Nicole Rourke, Clark County School District
Scott Baez, Washoe County School District
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents

Chair Harris:

I will open the hearing on Senate Bill (S.B.) 101.

SENATE BILL 101: Revises provisions relating to the reemployment of employees of school districts. (BDR 34-405)

Senator Joyce Woodhouse (Senatorial District No. 5):

Senate Bill 101 revises provisions relating to reemployment notices to certain school district employees. I will now read from my written testimony ([Exhibit C](#)).

During this past interim, I served as chair of the Legislative Committee on Education (LCE). One of the topics discussed was teacher reemployment notification for probationary and post-probationary employees. The LCE received a proposal from the Nevada Association of School Boards (NASB) requesting school boards be granted additional flexibility to the deadline dates by which school districts must notify certain employees of reemployment for the next school year during odd-numbered years.

Probationary employees in school districts are employed on a contractual basis for three 1-year periods. Current law requires that during the three probationary years, probationary employees are to be notified by the local school board regarding their reemployment on or before May 1.

The adjustment to the notification date is necessary in odd-numbered years because school districts plan their rehiring decisions based on available resources and anticipated growth, or decline, in student population. During odd-numbered years, the funding decisions of the Legislature can impact the hiring decisions of a school district. In the 2009 through 2013 Legislative Sessions, temporary legislation was passed extending the notification date for odd-numbered years. The legislation expires July 1.

Senate Bill 101 eliminates the need to pass temporary legislation to extend the notification date. It gives school boards the ability to extend the notification date to accommodate legislative funding decisions.

Existing law requires that reemployment notifications be provided on or before May 1, with employees advising the local board of their acceptance by May 10. The provisions of this bill retain the May 1 notification and May 10 employee

acceptance deadlines in even years. Senate Bill 101 allows school boards to extend the notification deadline during odd-numbered years to May 15 with an employee acceptance deadline of May 25.

Sections 1 and 3 of the bill delineate these deadlines for notification of probationary employees of reemployment. It also includes the requirement that the school board must notify its employees by April 1 of its intent to extend the deadline for notification from May 1 to May 15.

Section 2 describes the deadlines for notifying post-probationary employees.

Section 4 incorporates the references to the appropriate subsections denoting the provision changes for employees who fail to fulfill their employment obligations.

Section 5 states the bill becomes effective upon passage and approval.

These changes eliminate the necessity for legislative action each session in order to accommodate the local school boards' need to incorporate legislative funding decisions into odd-numbered years' hiring decisions.

The LCE and I encourage support of S.B. 101.

Jessica Ferrato (Nevada Association of School Boards):

The NASB supports S.B. 101 as a solution to the challenges that arise when school districts must notify their employees of reemployment during legislative years. In years when funding for public education has not yet been determined, this bill is a permissive solution to the challenge.

Employees have sometimes received notices they will be reemployed when later changes in funding necessitate a decrease in staffing. Once that notice of reemployment has been issued, the district is committed to employ that employee for the next year.

There are four sections of the *Nevada Revised Statutes* that require school districts to notify their employees of reemployment on or before May 1. Senate Bill 101 proposes that in odd numbered years only, school districts may notify their employees on or before April 1, that reappointment notifications will not be issued until May 15, rather than by May 1. Employees will then have until

May 25 to respond regarding their acceptance or rejection of reemployment. These changes appear in section 1 of the bill. The remaining sections of the bill parallel the language in section 1.

Senate Bill 101 provides flexibility to local school boards. If a district has declining enrollment or revenue, a local board may decide that notification of employees by April 1, is important regardless of legislative appropriation because the number of employees not returning will influence the number of new hires.

Senate Bill 101 is effective on passage in order to provide the flexibility needed by local school boards to make personnel decisions. The decision to extend the notification deadline from May 1 to April 1 is critical to school district employees as well as school boards. Staff members deserve to be informed their notices of reappointment may be delayed from May 1 to May 15.

Senator Harris:

Why is the deadline in even years April 1, and the deadline in odd years May 1? I understand the deadline in odd years is based upon the appropriation of the Legislature. What is the significance of the April 1 deadline in even years?

Stephen Augspurger (Executive Director, Clark County Association of School Administrators and Professional-Technical Employees):

The April 1 deadline often coincides with the last performance evaluation required for probationary employees.

Nicole Rourke (Clark County School District):

At this time, employees must be notified by April 1 if the notification for reemployment date is going to change from May 1 to May 15. This date has been used in the past to benefit employees, so there is a consistent date they can expect their notification of reemployment. The Clark County School District (CCSD) is not now looking for an earlier notification date, but it may be beneficial for the District in the future. The District supports S.B. 101.

The CCSD "Good News Minute" today is: The U.S. Department of Education selected the John W. Bonner and John Dooley Elementary Schools as 2014 National Blue Ribbon Schools. Only 340 schools, both public and private throughout the Nation, received this prestigious designation.

Mr. Augspurger:

The Clark County Association of School Administrators and Professional-Technical Employees and the Nevada Association of School Administrators support S.B. 101 and encourage its passage.

Scott Baez, (Washoe County School District):

The Washoe County School District supports S.B. 101.

Mary Pierczynski, Ed.D. (Nevada Association of School Superintendents):

The Nevada Association of School Superintendents supports S.B. 101 and the flexibility it offers.

Chair Harris:

I will close the hearing on S.B. 101 and I request a Committee introduction of Bill Draft Request (BDR) 34-408.

BILL DRAFT REQUEST 34-408: Requires the State Board of Education to adopt regulations regarding screening and assessing the English proficiency of certain pupils. (Later introduced as [Senate Bill 126](#).)

SENATOR WOODHOUSE MOVED TO INTRODUCE BDR 34-408.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Senate Committee on Education
February 5, 2015
Page 6

Chair Harris:

There being no further comment or business before the Committee, the meeting is adjourned at 3:47 p.m.

RESPECTFULLY SUBMITTED:

Beth Ann Reykers,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	2		Attendance Roster
S.B. 101	C	5	Senator Joyce Woodhouse	Written Testimony