

Amendment No. 244

Senate Amendment to Senate Bill No. 143	(BDR 34-59)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 143 (§ 1).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

MAS/KCR



Date: 4/17/2017

S.B. No. 143—Requires each public school in a school district to establish and maintain a school library. (BDR 34-59)



SENATE BILL NO. 143—SENATOR HARRIS

PREFILED FEBRUARY 13, 2017

Referred to Committee on Education

SUMMARY—Requires each public school in a school district to establish and maintain a school library. (BDR 34-59)

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

CONTAINS UNFUNDED MANDATE (§ 1)
(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 education; requiring each public school in a school district ***including charter schools***, to establish and maintain a school library that meets certain standards; requiring the State Board of Education to adopt regulations prescribing the minimum standards for a school library; ***providing certain exceptions***; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of a school district to purchase all new library books which are necessary and have been approved by the State Board of Education to carry out the mandates of the school curriculum to be used by the pupils of the school district. (NRS 393.170) With certain exceptions, existing law also requires a school district to spend in each school year a certain amount of money on library books. (NRS 387.207)

This bill requires each public school in a school district ***including a charter school***, to establish and maintain a school library that ~~has a licensed librarian and~~ provides library services to the pupils, teachers and administrators of the school. This bill ~~also~~ requires the State Board of Education to adopt regulations that prescribe the minimum requirements for a school library. ***This bill also requires each school library to have a licensed librarian unless: (1) the school is a charter school and the governing body of the charter school determines that the school library should not have a licensed librarian; (2) the school is unable to employ a licensed librarian and is granted permission by the superintendent of schools of the school district to share the cost of employing a licensed librarian with another such school; or (3) the school or school district is located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties), is unable to employ a licensed librarian and receives an exemption from the Department of Education.***

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

Section 1. Chapter 393 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each public school in a school district, including, without limitation, each charter school, shall establish and maintain a school library that:

(a) ~~Has~~ Except as otherwise provided in subsections 3 to 6, inclusive, has a librarian who is licensed by the Superintendent of Public Instruction;

(b) Provides library services to the pupils, teachers and administrators of the school; and

(c) Meets or exceeds any minimum requirements established by regulation by the State Board.

2. The State Board shall adopt regulations that prescribe the minimum requirements for a school library established pursuant to subsection 1. The regulations must include, without limitation:

(a) The minimum number of books, computers and other equipment that must be maintained at the library; ~~and~~

(b) The type of facilities and the minimum amount of space that must be reserved for the library ~~;~~ and

(c) Methods for providing library services, to the greatest extent possible, to pupils in a public school for which physical space for such a library may be impracticable, including, without limitation, a school with a limited number of rooms substantially all of which are used for instruction or a school which provides instruction through programs of distance education.

3. The governing body of each charter school shall determine whether the school library required to be established and maintained by the charter school pursuant to subsection 1 must have a librarian who is licensed by the Superintendent of Public Instruction.

4. If two public schools within a school district are each unable to employ a librarian who is licensed by the Superintendent of Public Instruction, the two public schools may jointly apply to the superintendent of schools of the school district to share the cost of employing one librarian who is licensed by the Superintendent of Public Instruction to provide support to both public schools.

5. A public school located in a county whose population is less than 100,000 that is unable to employ a librarian who is licensed by the Superintendent of Public Instruction may apply to the Department for an exemption from the requirement of paragraph (a) of subsection 1. Unless the board of trustees of the school district in which the public school is located has applied for and received an exemption from the Department pursuant to subsection 6 which is currently in effect, the Department shall notify the school district if the Department grants an exemption pursuant to this subsection and direct the school district to employ one or more librarians who are licensed by the Superintendent of Public Instruction to provide support to the public schools within the school district which have been granted the exemption.

6. A school district in a county whose population is less than 100,000 that is unable to employ a librarian who is licensed by the Superintendent of Public Instruction may apply to the Department for an exemption from the requirement of subsection 5 to employ one or more librarians for public schools granted an exemption pursuant to that subsection. When granting an exemption pursuant to this subsection, the Department may, upon consideration of all the circumstances occurring within or affecting the school district, impose conditions or

requirements upon the school district or offer support to the school district to ensure that the pupils of the school district receive, to the greatest extent possible, the services that would otherwise be provided by a librarian who is licensed by the Superintendent of Public Instruction.

7. An application granted by the superintendent of schools of a school district pursuant to subsection 4 or an exemption granted by the Department pursuant to subsection 5 or 6 expires at the end of the biennium in which the application or exemption is granted.

8. As used in this section:

(a) "Library services" means lending library books and other materials for use inside and outside of a school for a reasonable period of time at no charge.

(b) "Program of distance education" has the meaning ascribed to it in NRS 388.829.

(c) "School library" means an area or group of areas inside a school containing library books and other materials, including, without limitation, paperback and hardcover books.

Sec. 2. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 3. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2017, for all other purposes.