

Amendment No. 286

Senate Amendment to Senate Bill No. 253	(BDR 34-582)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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) 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.

EWR/RBL



Date: 4/20/2019

S.B. No. 253—Revises provisions governing the suspension of licensed school employees. (BDR 34-582)



SENATE BILL NO. 253—SENATOR GOICOECHEA

MARCH 6, 2019

JOINT SPONSOR: ASSEMBLYMAN ELLISON

Referred to Committee on Education

SUMMARY—Revises provisions governing the suspension of licensed school employees. (BDR 34-582)

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

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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; revising provisions governing the suspension and admonition of a licensed employee of a school district; ~~requiring the superintendent of a school district to provide written notice and the opportunity for a hearing before suspending a licensed employee of the district; authorizing~~ **removing the requirement that** a superintendent ~~to suspend without pay~~ **who suspends** a licensed employee who has been charged with certain crimes ~~and benefits until the final disposition of the criminal charges; making certain other revisions relating to the suspension of licensed employees;~~ **initiate dismissal proceedings;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires an administrator charged with the supervision of a licensed employee of a school district to admonish the employee for a reason that the administrator believes may lead to demotion or dismissal or may cause the employee not to be reemployed. (NRS 391.755) **Section 4** ~~11~~ of this bill authorizes the suspension and admonition of a licensed employee for the same conduct.

Existing law authorizes the superintendent of a school district to suspend a licensed employee without prior written notice or a hearing if: (1) the superintendent believes that grounds for dismissal of the employee exist; or (2) the employee has been officially charged but not yet convicted of certain crimes. (NRS 391.760) Existing law also authorizes dismissal of a licensed employee for conviction of those crimes. (NRS 391.750) **Existing law requires the superintendent to begin dismissal proceedings not later than 5 days after a suspension becomes effective. (NRS 391.760) Section 11 of this bill: (1) increases this period to 10 days if the superintendent believes that grounds for dismissal exist; and (2) removes the authority of a superintendent to suspend a licensed employee without prior notice or the opportunity for a hearing. Sections 4-6 and 11 of this bill instead require a superintendent to provide: (1) written notice of a suspension at least 10 days before the suspension becomes effective; and (2) an opportunity for an informal presuspension hearing. Section 5 of this bill provides that, if the employee is suspended because he or she has been**

charged with but not yet convicted of certain crimes, the informal presuspension hearing must be limited to whether the employee has been charged with the crime.

~~Existing law requires the superintendent of a school district to begin dismissal proceedings within 5 days after a suspension based on grounds for dismissal or a criminal charge becomes effective. (NRS 391.760) Section 11: (1) revises this time to 10 days for a suspension based on grounds for dismissal; and (2) removes this requirement for a suspension based on a criminal charge. Section 5 instead provides that a suspension based on a criminal charge continues until the final disposition of the charge. If the charge is dismissed or the employee is found not guilty, section 5 requires the employee to be reinstated with back pay, plus interest, and seniority. If the employee is convicted, section 5 requires the superintendent to commence dismissal proceedings. In addition, the suspension of the employee continues until the conclusion of those dismissal proceedings.~~

~~Existing law provides that a licensed employee who is suspended based on grounds for dismissal or a criminal charge is entitled to continue to receive his or her salary and other benefits until the date on which dismissal proceedings are commenced. (NRS 391.760) Sections 5 and 11 of this bill remove this entitlement with respect to a licensed employee who is suspended based on a criminal charge. Section 11 additionally provides that, after dismissal proceedings are commenced, a licensed employee who is suspended based on grounds for dismissal is no longer entitled to continue to receive his or her salary and other benefits.~~

~~Existing law authorizes a licensed employee who is suspended based on grounds for dismissal or a criminal charge to continue to receive his or her salary from the date on which the dismissal proceedings are commenced until the conclusion of those proceedings if the employee furnishes to the school district a bond or other security that is acceptable to the board. (NRS 391.760) Sections 5 and 11 instead require such a bond or other security to be acceptable to the superintendent.~~

~~Existing law authorizes a superintendent to discipline a licensed employee by suspending the employee with loss of pay at any time after a hearing has been held. (NRS 391.760) Section 6 of this bill requires: (1) such a suspension to last for not more than 10 consecutive school days; and (2) such a hearing to be informal. Section 6 also authorizes the employee to decline the hearing. Sections 1, 2 and 7-10 of this bill make conforming changes.] requirement that the superintendent initiate proceedings for the dismissal of an employee who has been charged, but not convicted, of a crime. Section 11 instead requires the superintendent to offer such an employee the opportunity for an informal hearing concerning the continuation of the suspension within 10 days after the employee receives notice of the suspension.~~

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

Section 1. ~~NRS 388A.533 is hereby amended to read as follows:~~

~~388A.533 1. All employees of a charter school shall be deemed public employees.~~

~~2. Except as otherwise provided in NRS 388A.5342, the governing body of a charter school may make all decisions concerning the terms and conditions of employment with the charter school and any other matter relating to employment with the charter school. In addition, the governing body may make all employment decisions with regard to its employees pursuant to NRS 391.650 to 391.820, inclusive, and sections 4, 5 and 6 of this act unless a collective bargaining agreement entered into by the governing body pursuant to chapter 288 of NRS contains separate provisions relating to the discipline of licensed employees of a school.~~

~~3. Upon the request of the governing body of a charter school, the board of trustees of a school district shall, with the permission of the licensed employee who is seeking employment with the charter school, transmit to the governing body a copy of the employment record of the employee that is maintained by the school.~~

1 district. The employment record must include, without limitation, each evaluation
2 of the licensed employee conducted by the school district and any disciplinary
3 action taken by the school district against the licensed employee.] (Deleted by
4 amendment.)

5 **Sec. 2.** ~~[NRS 388B.410 is hereby amended to read as follows:~~

6 ~~388B.410 1. All employees of an achievement charter school shall be~~
7 ~~deemed public employees and are not employees of the Department.~~

8 ~~2. Except as otherwise provided in a collective bargaining agreement entered~~
9 ~~into by the governing body of an achievement charter school pursuant to chapter~~
10 ~~288 of NRS, the principal of an achievement charter school may make:~~

11 ~~(a) All decisions concerning the terms and conditions of employment with the~~
12 ~~achievement charter school and any other matter relating to employment with the~~
13 ~~achievement charter school; and~~

14 ~~(b) All employment decisions with regard to the employees of the achievement~~
15 ~~charter school pursuant to NRS 391.650 to 391.830, inclusive [], and sections 4, 5~~
16 ~~and 6 of this act.~~

17 ~~3. Upon the request of the governing body of an achievement charter school,~~
18 ~~the board of trustees of a school district shall, with the permission of the licensed~~
19 ~~employee who is seeking employment with the achievement charter school,~~
20 ~~transmit to the governing body a copy of the employment record of the employee~~
21 ~~that is maintained by the school district. The employment record must include,~~
22 ~~without limitation, each evaluation of the licensed employee conducted by the~~
23 ~~school district and any disciplinary action taken by the school district against the~~
24 ~~licensed employee.] (Deleted by amendment.)~~

25 **Sec. 3.** ~~[Chapter 391 of NRS is hereby amended by adding thereto the~~
26 ~~provisions set forth as sections 4, 5 and 6 of this act.] (Deleted by amendment.)~~

27 **Sec. 4.** ~~[1. Written notice pursuant to NRS 391.760 or section 5 or 6 of~~
28 ~~this act must state the date on which the suspension becomes effective. Such~~
29 ~~written notice may be provided by any lawful means, including, without~~
30 ~~limitation, by:~~

31 ~~(a) Electronic mail to the electronic mail address maintained by the school~~
32 ~~district for the licensed employee; or~~

33 ~~(b) Depositing the notice with the United States Postal Service, properly~~
34 ~~addressed and postage prepaid, for delivery by first class mail to the licensed~~
35 ~~employee's last known mailing address.~~

36 ~~2. Except as otherwise provided in subsection 4 of section 5 of this act, a~~
37 ~~suspension must not become effective until at least 10 days after written notice is~~
38 ~~provided pursuant to subsection 1.~~

39 ~~3. A licensed employee may be suspended pursuant to NRS 391.760 or~~
40 ~~section 5 or 6 of this act and admonished pursuant to NRS 391.755 for the same~~
41 ~~conduct.] (Deleted by amendment.)~~

42 **Sec. 5.** ~~[1. A superintendent may suspend a licensed employee who has~~
43 ~~been officially charged but not yet convicted of a felony or a crime involving~~
44 ~~moral turpitude or immorality until the final disposition of the charge. Before the~~
45 ~~suspension takes effect, the superintendent shall provide:~~

46 ~~(a) Written notice of the suspension pursuant to section 4 of this act; and~~

47 ~~(b) The opportunity for an informal hearing.~~

48 ~~2. An informal hearing held pursuant to subsection 1 must be limited to~~
49 ~~determining whether the licensed employee has been officially charged with a~~
50 ~~felony or a crime involving moral turpitude or immorality. The actual guilt or~~
51 ~~innocence of the employee must not be considered in the hearing.~~

~~3. Except as otherwise provided in subsections 4 and 5, upon the suspension of the license of an employee, the salary and other benefits of the employee are suspended.~~

~~4. If the charge is dismissed or the licensed employee is found not guilty, the employee must be reinstated to his or her position with back pay, plus interest, and seniority. If the employee is convicted of the crime for which he or she was suspended:~~

~~(a) The superintendent must begin proceedings pursuant to the provisions of NRS 391.680 to 391.810, inclusive, and sections 4, 5 and 6 of this act to carry out the dismissal of the employee; and~~

~~(b) The suspension of the employee continues until a final determination is made during those proceedings.~~

~~5. A licensed employee who is suspended pursuant to this section may furnish to the school district a bond or other form of security which is acceptable to the superintendent as a guarantee that the employee will repay any amounts paid to him or her pursuant to this subsection as salary during a period of suspension. If such a bond or security is accepted, the employee is entitled to continue to receive his or her salary from the date on which the bond or other security is accepted until the final disposition of the charges or the conclusion of any dismissal proceedings, as applicable. The superintendent shall not unreasonably refuse to accept a form of security other than a bond. An employee who receives a salary pursuant to this subsection is liable for repayment of the amount received if the employee is subsequently dismissed or not reemployed as a result of a decision of the board or a report of a hearing officer.~~

~~6. A licensed employee charged with a felony or a crime involving immorality or moral turpitude who waives his or her right to a speedy trial while suspended from employment may receive not more than 12 months of back pay and seniority upon reinstatement if the employee is found not guilty or the charges are dismissed, unless proceedings to dismiss the employee are commenced for another ground set forth in NRS 391.750.~~

~~7. The superintendent may recommend that a licensed employee who has been charged with a felony or a crime involving immorality or moral turpitude be dismissed for another ground set forth in NRS 391.750, if appropriate.] (Deleted by amendment.)~~

~~Sec. 6. [1. A superintendent may suspend a licensed employee for any reason set forth in NRS 391.750 with loss of pay for not more than 10 consecutive school days. Before imposing any such suspension, the superintendent shall provide:~~

~~(a) Written notice of the suspension in accordance with section 4 of this act; and~~

~~(b) The opportunity for an informal hearing.~~

~~2. A licensed employee may be suspended more than one time during the employee's contract year. Unless circumstances require otherwise, each suspension must be progressively longer than the previous suspension, but not more than 10 consecutive school days.] (Deleted by amendment.)~~

~~Sec. 7. [NRS 391.650 is hereby amended to read as follows:~~

~~391.650 As used in NRS 391.650 to 391.830, inclusive, and sections 4, 5 and 6 of this act, unless the context otherwise requires:~~

~~1. "Administrator" means any employee who holds a license as an administrator and who is employed in that capacity by a school district.~~

~~2. "Board" means the board of trustees of the school district in which a licensed employee affected by NRS 391.650 to 391.830, inclusive, and sections 4, 5 and 6 of this act is employed.~~

~~2. "Demotion" means demotion of an administrator to a position of lesser rank, responsibility or pay and does not include transfer or reassignment for purposes of an administrative reorganization.~~

~~4. "Immorality" means:~~

~~(a) An act forbidden by NRS 200.266, 200.268, 200.400, 200.508, 201.180, 201.190, 201.210, 201.220, 201.230, 201.265, 201.540, 201.560, 207.260, 453.316 to 453.326, inclusive, except an act forbidden by NRS 453.337, 453.338, 453.339S to 453.340S, inclusive, 453.560 or 453.562; or~~

~~(b) An act forbidden by NRS 201.540 or any other sexual conduct or attempted sexual conduct with a pupil enrolled in an elementary or secondary school. As used in this paragraph, "sexual conduct" has the meaning ascribed to it in NRS 201.520.~~

~~5. "Postprobationary employee" means an administrator or a teacher who has completed the probationary period as provided in NRS 201.820 and has been given notice of reemployment. The term does not include a person who is deemed to be a probationary employee pursuant to NRS 201.730.~~

~~6. "Probationary employee" means:~~

~~(a) An administrator or a teacher who is employed for the period set forth in NRS 201.820; and~~

~~(b) A person who is deemed to be a probationary employee pursuant to NRS 201.730.~~

~~7. "Superintendent" means the superintendent of a school district or a person designated by the board or superintendent to act as superintendent during the absence of the superintendent.~~

~~8. "Teacher" means a licensed employee the majority of whose working time is devoted to the rendering of direct educational service to pupils of a school district.] (Deleted by amendment.)~~

Sec. 8. [NRS 391.655 is hereby amended to read as follows:

~~391.655 1. The demotion, suspension, dismissal and nonreemployment provisions of NRS 391.650 to 391.830, inclusive, and sections 4, 5 and 6 of this act do not apply to:~~

~~(a) Substitute teachers; or~~

~~(b) Adult education teachers.~~

~~2. The admonition, demotion, suspension, dismissal and nonreemployment provisions of NRS 391.650 to 391.800, inclusive, and sections 4, 5 and 6 of this act do not apply to:~~

~~(a) A probationary teacher. The policy for evaluations prescribed in NRS 391.685 and 391.725 applies to a probationary teacher.~~

~~(b) A principal described in subsection 1 of NRS 391.825 with respect to his or her employment as a principal.~~

~~(c) A principal who is employed at will pursuant to subsection 2 of NRS 391.825.~~

~~(d) An administrator described in subsection 2 of NRS 391.830.~~

~~(e) A new employee who is employed as a probationary administrator primarily to provide administrative services at the school level and not primarily to provide direct instructional services to pupils, regardless of whether licensed as a teacher or administrator, including, without limitation, a principal and vice principal.~~

~~Insofar as it is consistent with the provisions of NRS 391.825 and 391.830, the policy for evaluations prescribed in NRS 391.700 and 391.725 applies to any administrator described in this subsection.~~

~~3. The admonition, demotion and suspension provisions of NRS 391.650 to 391.800, inclusive, and sections 4, 5 and 6 of this act do not apply to a postprobationary teacher who is employed as a probationary administrator~~

1 primarily to provide administrative services at the school level and not primarily to
2 provide direct instructional services to pupils, regardless of whether licensed as a
3 teacher or administrator, including, without limitation, a principal and vice
4 principal, with respect to his or her employment in the administrative position. The
5 policy for evaluations prescribed in NRS 391.700 and 391.725 applies to such a
6 probationary administrator.

7 ~~4. The provisions of NRS 391.650 to 391.800, inclusive, and sections 4, 5~~
8 ~~and 6 of this act do not apply to a teacher whose employment is suspended or~~
9 ~~terminated pursuant to subsection 3 of NRS 391.120 or NRS 391.3015 for failure to~~
10 ~~maintain a license in force.~~

11 ~~5. A licensed employee who is employed in a position fully funded by a~~
12 ~~federal or private categorical grant or to replace another licensed employee during~~
13 ~~that employee's leave of absence is employed only for the duration of the grant or~~
14 ~~leave. Such a licensed employee and licensed employees who are employed on~~
15 ~~temporary contracts for 90 school days or less, or its equivalent in a school district~~
16 ~~operating under an alternative schedule authorized pursuant to NRS 388.090, to~~
17 ~~replace licensed employees whose employment has terminated after the beginning~~
18 ~~of the school year are entitled to credit for that time in fulfilling any period of~~
19 ~~probation and during that time the provisions of NRS 391.650 to 391.820,~~
20 ~~inclusive, and sections 4, 5 and 6 of this act for demotion, suspension or dismissal~~
21 ~~apply to them.] (Deleted by amendment.)~~

22 **Sec. 9.** [NRS 391.660 is hereby amended to read as follows:

23 ~~391.660 Excluding the provisions of NRS 391.730, 391.825 and 391.830, the~~
24 ~~provisions of NRS 391.650 to 391.830, inclusive, and sections 4, 5 and 6 of this~~
25 ~~act do not apply to a teacher or other licensed employee who has entered into a~~
26 ~~contract with the board negotiated pursuant to chapter 288 of NRS if the contract~~
27 ~~contains separate provisions relating to the board's right to dismiss or refuse to~~
28 ~~reemploy the employee.] (Deleted by amendment.)~~

29 **Sec. 10.** [NRS 391.755 is hereby amended to read as follows:

30 ~~391.755 1. Whenever an administrator charged with supervision of a~~
31 ~~licensed employee believes it is necessary to admonish the employee for a reason~~
32 ~~that the administrator believes may lead to demotion or dismissal or may cause the~~
33 ~~employee not to be reemployed under the provisions of NRS 391.750, the~~
34 ~~administrator shall:~~

35 ~~(a) Except as otherwise provided in subsection 3, bring the matter to the~~
36 ~~attention of the employee involved, in writing, stating the reasons for the~~
37 ~~admonition and that it may lead to the employee's demotion, dismissal or a refusal~~
38 ~~to reemploy him or her, and make a reasonable effort to assist the employee to~~
39 ~~correct whatever appears to be the cause for the employee's potential demotion,~~
40 ~~dismissal or a potential recommendation not to reemploy him or her; and~~

41 ~~(b) [Except as otherwise provided in] Unless the employee is suspended~~
42 ~~pursuant to NRS 391.760, or section 5 or 6 of this act, allow reasonable time for~~
43 ~~improvement, which must not exceed 3 months for the first admonition.~~

44 ~~The admonition must include a description of the deficiencies of the employee~~
45 ~~and the action that is necessary to correct those deficiencies.~~

46 ~~2. An admonition issued to a licensed employee who, within the time granted~~
47 ~~for improvement, has met the standards set for the employee by the administrator~~
48 ~~who issued the admonition must be removed from the records of the employee~~
49 ~~together with all notations and indications of its having been issued. The~~
50 ~~admonition must be removed from the records of the employee not later than 3~~
51 ~~years after it is issued.~~

52 ~~3. An administrator need not admonish an employee pursuant to paragraph (a)~~
53 ~~of subsection 1 if the administrator has been informed by the superintendent that~~

1 the superintendent intends to recommend the dismissal of the employee to the board
2 in the manner set forth in NRS 391.822, 391.824 and 391.826.

3 ~~4. A licensed employee is subject to immediate dismissal or a refusal to~~
4 ~~reemploy according to the procedures provided in NRS 391.650 to 391.830,~~
5 ~~inclusive, and sections 4, 5 and 6 of this act without the admonition required by~~
6 ~~this section, on grounds contained in paragraphs (b), (f), (g), (h), (p), (s), (t) and (u)~~
7 ~~of subsection 1 of NRS 391.750.] (Deleted by amendment.)~~

8 **Sec. 11.** NRS 391.760 is hereby amended to read as follows:

9 391.760 1. If a superintendent has reason to believe that ~~cause exists for~~
10 ~~ground set forth in NRS 391.750]~~ for the dismissal of a licensed employee and the
11 superintendent is of the opinion that the immediate suspension of the employee is
12 necessary in the best interests of the pupils in the district, exists, the
13 superintendent may suspend the employee without notice [until the board issues a
14 decision or the hearing officer issues a report, if the report is final and binding,
15 concerning the dismissal. Except as otherwise provided in subsection 4 of section
16 5 of this act, the superintendent shall, before the suspension takes effect, provide:

17 ~~(a) Notice of the suspension pursuant to section 4 of this act]~~ and without a
18 ~~(b) The opportunity for an informal]~~ hearing. Within 10 days after the
19 suspension becomes effective, the superintendent shall begin proceedings
20 pursuant to NRS 391.680 to 391.810, inclusive, to carry out the employee's
21 dismissal. The employee is entitled to continue to receive his or her salary and
22 other benefits after the suspension becomes effective until the date on which the
23 dismissal proceedings are commenced.

24 2. Notwithstanding the provisions of NRS 391.750, a superintendent may
25 suspend a licensed employee who has been officially charged but not yet convicted
26 of a felony or a crime involving moral turpitude or immorality. If the charge is
27 dismissed or if the employee is found not guilty, the employee must be reinstated
28 with back pay, plus interest, and normal seniority. The superintendent shall notify
29 the employee in writing of the suspension.

30 ~~[2. Within 5 10 days after a suspension pursuant to this section becomes~~
31 ~~effective, the superintendent shall begin proceedings pursuant to the provisions of~~
32 ~~NRS 391.680 to 391.810, inclusive, and sections 4, 5 and 6 of this act to effect the~~
33 ~~licensed employee's dismissal.]~~ Within 10 days after the date on which the
34 employee receives such notice, the superintendent shall provide the employee
35 with the opportunity for an informal hearing to address the circumstances
36 relating to the charges and any other circumstances relating to the suspension.
37 The superintendent shall issue a written decision concerning the continuation of
38 the suspension based on the information presented at the hearing. The [Except as
39 otherwise provided in subsection 4 of section 5 of this act, the] employee is
40 entitled to continue to receive his or her salary and other benefits after the
41 suspension becomes effective until the date on which the [dismissal proceedings are
42 commenced.] superintendent issues the written decision. The superintendent may
43 recommend that an employee who has been charged with a felony or a crime
44 involving immorality be dismissed for another ground set forth in NRS 391.750.
45 [Except as otherwise provided in subsection 4, after the dismissal proceedings are
46 commenced, the employee is no longer entitled to continue to receive his or her
47 salary and other benefits.]

48 3. If sufficient grounds for dismissal [do] are not found to exist [the
49 licensed employee is not dismissed] at the conclusion of the [dismissal]
50 proceedings [.] conducted pursuant to subsection 1 or 2, the employee must be
51 reinstated with full compensation, plus interest.

52 4. A licensed employee who furnishes [is suspended pursuant to this section
53 may furnish] to the school district a bond or other form of security which is

1 acceptable to the ~~board~~ superintendent as a guarantee that the employee will
2 repay any amounts paid to him or her pursuant to this subsection as salary during a
3 period of suspension ~~[If such a bond or other security is provided,] the employee~~
4 is entitled to continue to receive his or her salary from the date on which the
5 dismissal proceedings are commenced until the decision of the board or the report
6 of the hearing officer, if the report is final and binding. The ~~board~~ superintendent
7 shall not unreasonably refuse to accept a form of security other than a bond. An
8 employee who receives a salary pursuant to this subsection shall repay it ~~is liable~~
9 ~~for repayment of the amount received~~ if the employee is ~~subsequently~~ dismissed
10 or not reemployed as a result of a decision of the board or a report of a hearing
11 officer.

12 5. A licensed employee who is convicted of a crime which requires
13 registration pursuant to NRS 179D.010 to 179D.550, inclusive, or is convicted of
14 an act forbidden by NRS 200.508, 201.190, 201.265, 201.540, 201.560 or 207.260
15 forfeits all rights of employment from the date of his or her arrest.

16 6. A licensed employee who is convicted of any crime and who is sentenced
17 to and serves any sentence of imprisonment forfeits all rights of employment from
18 the date of his or her arrest or the date on which his or her employment terminated,
19 whichever is later.

20 7. A licensed employee who is charged with a felony or a crime involving
21 immorality or moral turpitude and who waives his or her right to a speedy trial
22 while suspended may receive no more than 12 months of back pay and seniority
23 upon reinstatement if the employee is found not guilty or the charges are dismissed,
24 unless proceedings have been begun to dismiss the employee upon one of the other
25 grounds set forth in NRS 391.750.

26 8. A superintendent may discipline a licensed employee by suspending the
27 employee with loss of pay at any time after a hearing has been held which affords
28 the due process provided for in this chapter. The grounds for suspension are the
29 same as the grounds contained in NRS 391.750. An employee may be suspended
30 more than once during the employee's contract year, but the total number of days of
31 suspension may not exceed 20 in 1 contract year. Unless circumstances require
32 otherwise, the suspensions must be progressively longer.

33 9. A licensed employee may be suspended pursuant to this section and
34 admonished pursuant to NRS 391.755 for the same conduct.

35 **Sec. 12.** 1. The provisions of this act apply to any suspension or dismissal
36 imposed on or after the effective date of this act. Any suspension of a licensed
37 employee of a school district pursuant to NRS 391.760 imposed before the effective
38 date of this act remains valid and the licensed employee remains subject to the
39 terms of that suspension.

40 2. Any provision of a collective bargaining agreement that is in effect on the
41 effective date of this act which conflicts with the amendatory provisions of this act
42 is void and unenforceable with respect to any action taken on or after the effective
43 date of this act.

44 **Sec. 13.** This act becomes effective upon passage and approval.